

UNOFFICIAL VERSION

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TUESDAY, MAY 9, 2017

THIRTY-SIXTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 2:00 p.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Senator Tracy.

PLEDGE OF ALLEGIANCE

Senator Tracy led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Tracy led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

STANDING COMMITTEE REPORT

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 3, 230 with amendment, 292, 562 with amendment, 564, 585, 641, 864 with amendment, 1136, 1218 with amendment, 1224, 1230 with amendment, 1241 with amendment, 1245, 1250 with amendment, 1257, 1260, 1309 with amendment and 1352.

WATSON, Chairperson
May 9, 2017

The Speaker announced that he had referred Senate Bills Nos. 3, 230 with amendment, 292, 562 with amendment, 564, 585, 641, 864 with amendment, 1136, 1218 with amendment, 1224, 1230 with amendment, 1241 with amendment, 1245, 1250 with amendment, 1257, 1260, 1309 with amendment and 1352 to the Committee on Calendar.

PRESENTATION

Senator Gresham presented **Senate Joint Resolution No. 38** to Dr. Helen James.

PRESENTATION

Senators Bowling, Kelsey, Tracy and Watson presented **Senate Joint Resolution No. 366** to Senator Bell.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 22, 261, 331, 333, 362, 392, 418, 420, 432, 452, 466, 553, 810, 841, 910, 1020, 1041, 1067, 1169, 1209, 1276, 1306, 1367, 1381, 1453 and 1454** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 22 -- Local Education Agencies -- As introduced, requires, beginning with the 2018-2019 school year, each LEA to offer students in each of its high schools the opportunity to take at least six early postsecondary credit courses. Amends TCA Title 49.

House Bill No. 261 -- Administrative Procedure (UAPA) -- As introduced, continues permanent rules filed with the secretary of state after January 1, 2016; schedules auctioneer commission rule defining "timed listings" for purposes of online auctions to expire on the effective date of the act.

House Bill No. 331 -- Taxes, Income -- As introduced, exempts persons who are 100 or older from the Hall income tax. Amends TCA Title 67, Chapter 2.

House Bill No. 333 -- Boards and Commissions -- As introduced, changes the date on which assessments of costs in disciplinary cases conducted by agencies connected to the division of regulatory boards become final and subject to judgment and execution from 30 to 35 days from the date of the assessment. Amends TCA Title 55; Title 56, Chapter 1 and Title 62, Chapter 6.

House Bill No. 362 -- Environment and Conservation, Department of -- As introduced, prohibits the department from issuing any permit that has not first been reviewed by the general assembly in the same manner as a rule under the Uniform Administrative Procedures Act. Amends TCA Title 4; Title 11; Title 59; Title 60; Title 62; Title 68 and Title 69.

House Bill No. 392 -- School Transportation -- As introduced, authorizes LEAs, directly or by contract, to install, operate, or maintain cameras on the outside of school buses to record vehicles unlawfully passing stopped school buses; allows persons cited to pay the fine out of court; imposes additional penalties that apply under certain circumstances. Amends TCA Title 49, Chapter 6, Part 21 and Title 55, Chapter 8.

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House Bill No. 418 -- Criminal Procedure -- As introduced, reduces from \$350 to \$180 the expunction fee for criminal convictions; revises allocation of fee proceeds. Amends TCA Section 8-21-401 and Title 40.

House Bill No. 420 -- Unclaimed Property -- As introduced, enacts the "Uniform Unclaimed Property Act." Amends TCA Title 30; Title 45; Title 48; Title 56; Title 66 and Title 67.

House Bill No. 432 -- Criminal Offenses -- As introduced, revises certain reckless endangerment provisions; establishes enhanced punishment for acts constituting "community terrorism." Amends TCA Title 39, Chapter 13.

House Bill No. 452 -- Sentencing -- As introduced, increases penalty for unlawfully possessing a firearm with a prior conviction for a felony involving use of force or violence from Class C felony to Class B felony; increases from Class D felony to Class C felony penalty for person unlawfully possessing firearm with prior felony drug offense; increases penalty for unlawfully possessing a handgun with a prior felony from Class E felony to Class D felony; makes person convicted of unlawfully possessing a firearm with a prior conviction involving use of force or violence ineligible for probation. Amends TCA Title 39, Chapter 17, Part 13 and Title 40, Chapter 35, Part 3.

House Bill No. 466 -- Public Employees -- As introduced, authorizes the state and local governments to provide health insurance benefits to the immediate family members of first responders killed in the line of duty for a period of three years after the death of the first responder; requires the state to reimburse local governments that provide such benefits. Amends TCA Title 8, Chapter 27.

House Bill No. 553 -- Education, Higher -- As introduced, creates the Initiative on HBCUs to focus on ways to support programs and initiatives that will increase the number of graduates from HBCUs in the state; authorizes the initiative to consult with the Consortium of Historically Black Colleges and Universities to ensure the initiative meets its goal. Amends TCA Section 4-3-733 and Title 49, Chapter 7.

House Bill No. 810 -- Criminal Offenses -- As introduced, enacts the "Elderly and Vulnerable Adult Protection Act." Amends TCA Title 39; Title 40 and Title 71.

House Bill No. 841 -- Education -- As introduced, enacts the "K-12 Block Grant Act," which distributes block grants to each LEA to improve the quality of education; appropriates \$250 million from excess state tax revenues over collected in fiscal years 2015-2016 and 2016-2017 for K-12 block grants. Amends TCA Title 9 and Title 49.

House Bill No. 910 -- Taxes, Gasoline, Petroleum Products -- As introduced, removes statutory allocations to the general fund from certain fuel tax revenues; reallocates certain allocations. Amends TCA Title 67, Chapter 3, Part 9.

House Bill No. 1020 -- Real Property -- As introduced, enacts the "Short-Term Rental Unit Act" and revises other provisions concerning short-term rentals, including taxation. Amends TCA Title 5; Title 6; Title 7; Title 13; Title 56; Title 62; Title 66; Title 67 and Title 68.

House Bill No. 1041 -- Sentencing -- As introduced, establishes a sentencing enhancement factor for defendants who are aliens illegally or unlawfully in the United States and who have previously been deported for committing a criminal offense. Amends TCA Title 40.

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House Bill No. 1067 -- Medical Occupations -- As introduced, establishes a special mechanism for licensure actions for healthcare practitioners involved with substance abuse. Amends TCA Title 50, Chapter 9; Title 63 and Title 68.

House Bill No. 1169 -- Education -- As introduced, changes from September 15 to October 15 the date by which a public institution of higher education operating a hearing center must submit a written report to the Tennessee higher education commission and the education committees of the senate and house of representatives regarding patient service. Amends TCA Title 4 and Title 49.

House Bill No. 1209 -- Controlled Substances -- As introduced, expands the immunity from arrest, charge, or prosecution to persons seeking medical assistance for drug overdoses to apply to any overdose instead of only a person's first drug overdose. Amends TCA Title 63, Chapter 1, Part 1.

House Bill No. 1276 -- Public Contracts -- As introduced, clarifies that the chief procurement officer may transmit in electronic format the annual report to the governor and to each member of the general assembly concerning the awarding of purchases to minority-owned business, woman-owned business, service-disabled veteran-owned business, or small business and the total value of awards made during the preceding fiscal year under the Tennessee Minority-Owned, Woman-Owned and Small Business Procurement and Contracting Act. Amends TCA Title 4 and Title 12.

House Bill No. 1306 -- General Assembly -- As introduced, creates a special joint committee to study issues relating to the investigation and prosecution of unsolved civil rights crimes and cold cases from the civil rights era. Amends TCA Title 3, Chapter 1, Part 1.

House Bill No. 1367 -- Taxes, Ad Valorem -- As introduced, for property tax assessment purposes, changes the classification of property of certain local exchange telephone companies and telephone cooperatives from public utility to industrial and commercial property; discontinues the telecommunications ad valorem tax reduction fund. Amends TCA Title 67, Chapter 5 and Title 67, Chapter 6.

House Bill No. 1381 -- Public Buildings -- As introduced, requires that edges of steps into public buildings constructed, purchased, or leased by the state or its political subdivisions be marked with yellow paint to assist persons with vision impairment. Amends TCA Title 68.

House Bill No. 1453 -- Tullahoma -- Subject to local approval, changes the date, from the first Thursday to the first Friday in February, by which the board of mayor and aldermen must call for an election each year; lowers the minimum age, from 21 to 18, for a person to serve as mayor or alderman; removes requirement that members of the board acquire surety bonds. Amends Chapter 553 of the Acts of 1903; as amended.

House Bill No. 1454 -- Hornsby -- Subject to local approval, reduces board of mayor and aldermen from seven to five members; deletes all references to town marshal; reduces the number of readings to approve an ordinance from three to two; abolishes the position of treasurer and transfers responsibilities to the recorder; expands authority of the board of mayor and aldermen. Amends Chapter 112 of the Private Acts of 1920; as amended.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 1466** be passed on second consideration and be referred to the appropriate committee or held on the Clerk's desk, which motion prevailed.

SENATE BILL ON SECOND CONSIDERATION

The Speaker announced the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

Senate Bill No. 1466 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolution No. 453**; and **Senate Resolutions Nos. 121 through 129** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 453 by Senator Ketron.
Memorials, Recognition -- Oakland High School, Excellence in Action Award.

Senate Resolution No. 121 by Senator Bowling.
Memorials, Academic Achievement -- Baylee Ashlyn Nester, Valedictorian, Coffee County Central High School.

Senate Resolution No. 122 by Senator Bowling.
Memorials, Academic Achievement -- Morgan Dionna Aker, Salutatorian, South Pittsburg High School.

Senate Resolution No. 123 by Senator Bowling.
Memorials, Academic Achievement -- Ronni Mae-Kayla Coffelt, Valedictorian, South Pittsburg High School.

Senate Resolution No. 124 by Senator Bowling.
Memorials, Academic Achievement -- Karissa Northcutt, Salutatorian, Grundy County High School.

Senate Resolution No. 125 by Senator Bowling.
Memorials, Academic Achievement -- Alina Jade Fahn, Valedictorian, Grundy County High School.

Senate Resolution No. 126 by Senator Bowling.
Memorials, Academic Achievement -- Olivia Madewell, Salutatorian, Franklin County High School.

Senate Resolution No. 127 by Senator Bowling.
Memorials, Academic Achievement -- Jacob Dial, Salutatorian, Franklin County High School.

Senate Resolution No. 128 by Senator Bowling.
Memorials, Academic Achievement -- Drake Shull, Valedictorian, Franklin County High School.

Senate Resolution No. 129 by Senator Bowling.
Memorials, Academic Achievement -- Kaylee Paige Skipper, Salutatorian, Coffee County Central High School.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 37 and 559 through 562; Senate Joint Resolutions Nos. 448 and 450 through 452; and Senate Resolutions Nos. 119 and 120** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 37 -- Constitutional Amendments -- Proposes an amendment to the Constitution of Tennessee recognizing that our liberties do not come from governments, but from Almighty God.

The Speaker announced that he had referred House Joint Resolution No. 37 to the Committee on Judiciary.

House Joint Resolution No. 559 -- Memorials, Recognition -- Discovery Center, 30th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 559 to the Committee on Calendar.

House Joint Resolution No. 560 -- Memorials, Recognition -- Morristown First Presbyterian Church, 150th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 560 to the Committee on Calendar.

House Joint Resolution No. 561 -- Memorials, Professional Achievement -- Jack Lowery, President of Tennessee Road Builders Association.

The Speaker announced that he had referred House Joint Resolution No. 561 to the Committee on Calendar.

House Joint Resolution No. 562 -- Memorials, Recognition -- Plaza Mariachi Music City, Grand Opening.

The Speaker announced that he had referred House Joint Resolution No. 562 to the Committee on Calendar.

Senate Joint Resolution No. 448 -- Memorials, Recognition -- Mt. Moriah Lodge #18, 200th Anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 448 to the Committee on Calendar.

Senate Joint Resolution No. 450 -- Memorials, Sports -- Scott Wietecha, 2017 St. Jude Rock 'n' Roll Nashville Marathon.

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The Speaker announced that he had referred Senate Joint Resolution No. 450 to the Committee on Calendar.

Senate Joint Resolution No. 451 -- Memorials, Death -- Halbert Floyd Dennis.

The Speaker announced that he had referred Senate Joint Resolution No. 451 to the Committee on Calendar.

Senate Joint Resolution No. 452 -- Memorials, Recognition -- Johnson County Middle School Robotics Team 3075B.

The Speaker announced that he had referred Senate Joint Resolution No. 452 to the Committee on Calendar.

Senate Resolution No. 119 -- Memorials, Academic Achievement -- Katherine Carter, Valedictorian, Greenbrier High School.

The Speaker announced that he had referred Senate Resolution No. 119 to the Committee on Calendar.

Senate Resolution No. 120 -- Memorials, Academic Achievement -- Ravi Patel, Salutatorian, Greenbrier High School.

The Speaker announced that he had referred Senate Resolution No. 120 to the Committee on Calendar.

MOTION

Senator Norris moved that Rule 39 be suspended for the purpose of allowing amendments filed by 2:00 p.m., Tuesday, May 9, 2017, to be considered timely filed, which motion prevailed.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 441 -- Memorials, Academic Achievement -- Jasper "Jax" Stanfill, Salutatorian, Culleoka Unit School.

Senate Joint Resolution No. 442 -- Memorials, Academic Achievement -- Blaine Farmer, Valedictorian, Culleoka Unit School.

Senate Joint Resolution No. 443 -- Memorials, Death -- Daniel McKenzie Speer.

Senate Joint Resolution No. 444 -- Memorials, Retirement -- Dr. Karen M. Sowers.

Senate Joint Resolution No. 446 -- Memorials, Retirement -- Don Alexander.

Senate Resolution No. 117 -- Memorials, Recognition -- Vivian Michael Wilhoite.

Senate Resolution No. 118 -- Memorials, Recognition -- Hayes Family Reunion.

House Joint Resolution No. 501 -- Memorials, Recognition -- Charles Hand, Middle Tennessee Council of Boy Scouts Good Scout Award.

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House Joint Resolution No. 502 -- Memorials, Academic Achievement -- Jacob Green, Co-Salutatorian, Knoxville West High School.

House Joint Resolution No. 503 -- Memorials, Academic Achievement -- Jenna Ely, Co-Salutatorian, Knoxville West High School.

House Joint Resolution No. 504 -- Memorials, Academic Achievement -- Noah Mesa, Valedictorian, Knoxville West High School.

House Joint Resolution No. 505 -- Memorials, Academic Achievement -- Brionca Sahmara Apree Hines, Salutatorian, Fulton High School.

House Joint Resolution No. 506 -- Memorials, Academic Achievement -- James Samuel S. Keith, Valedictorian, Fulton High School.

House Joint Resolution No. 507 -- Memorials, Academic Achievement -- Canaan Pratt, Salutatorian, Knoxville Central High School.

House Joint Resolution No. 508 -- Memorials, Academic Achievement -- Spencer McDonald, Valedictorian, Knoxville Central High School.

House Joint Resolution No. 509 -- Memorials, Academic Achievement -- Addyson Dione Simmons, Valedictorian, Bledsoe County High School.

House Joint Resolution No. 510 -- Memorials, Academic Achievement -- Hanna Haston, Salutatorian, Bledsoe County High School.

House Joint Resolution No. 511 -- Memorials, Interns -- Cedric Deprice Williams, Jr.

House Joint Resolution No. 512 -- Memorials, Recognition -- Tennessee Nurses Week.

House Joint Resolution No. 513 -- Memorials, Interns -- Angelica M. Jacox.

House Joint Resolution No. 514 -- Memorials, Interns -- Sara E. Moorehead.

House Joint Resolution No. 515 -- Memorials, Interns -- Lee Smith III.

House Joint Resolution No. 516 -- Memorials, Professional Achievement -- Melissa Granstaff, Wilson County Teacher of the Year.

House Joint Resolution No. 517 -- Memorials, Recognition -- Susan Miceli, Trustee of the Year, Tennessee Library Association.

House Joint Resolution No. 518 -- Memorials, Death -- Patsy Dean Maiden Teague.

House Joint Resolution No. 519 -- Memorials, Professional Achievement -- George "Everett" Ellison, Sr., and Ellison's Sanitary Supply Company.

House Joint Resolution No. 520 -- Memorials, Recognition -- Tennessee Fisher House.

House Joint Resolution No. 521 -- Memorials, Interns -- Trevin Thomas Ayers.

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House Joint Resolution No. 522 -- Memorials, Recognition -- Highland Park Ruritan Club, 50th Anniversary.

House Joint Resolution No. 523 -- Memorials, Recognition -- Tiffany Johnson.

House Joint Resolution No. 524 -- Memorials, Retirement -- Officer Sidney "Sid" Claxton Cripps.

House Joint Resolution No. 525 -- Memorials, Retirement -- Officer Fred Donald Dye, Jr.

House Joint Resolution No. 526 -- Memorials, Recognition -- Dyer County High School cheerleading team, U.S. Junior Coed National Team.

House Joint Resolution No. 527 -- Memorials, Professional Achievement -- Dan Whittle.

House Joint Resolution No. 529 -- Memorials, Recognition -- Fred L. Davis.

House Joint Resolution No. 530 -- Memorials, Recognition -- Dr. James Netters.

House Joint Resolution No. 531 -- Memorials, Academic Achievement -- Baylee Webb, Salutatorian, Wilson Central High School.

House Joint Resolution No. 532 -- Memorials, Academic Achievement -- Rebecca Pettross, Valedictorian, Friendship Christian School.

House Joint Resolution No. 533 -- Memorials, Academic Achievement -- Parker Smith, Salutatorian, Friendship Christian School.

House Joint Resolution No. 534 -- Memorials, Academic Achievement -- Matthew Everett, Valedictorian, Wilson Central High School.

House Joint Resolution No. 535 -- Memorials, Academic Achievement -- LeiLani Lee, Salutatorian, Wilson Central High School.

House Joint Resolution No. 536 -- Memorials, Academic Achievement -- Andrew Franklin, Valedictorian, Heritage Christian Academy.

House Joint Resolution No. 537 -- Memorials, Academic Achievement -- Abigail Shores, Salutatorian, Heritage Christian Academy.

House Joint Resolution No. 538 -- Memorials, Recognition -- Jerusalem Day 2017.

House Joint Resolution No. 539 -- Memorials, Interns -- Auria Asadsangabi.

House Joint Resolution No. 540 -- Memorials, Academic Achievement -- Peyton Alec Roberts, Salutatorian, Clay County High School.

House Joint Resolution No. 541 -- Memorials, Academic Achievement -- Kaitlyn Hannah Springer, Salutatorian, Sequatchie County High School.

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House Joint Resolution No. 542 -- Memorials, Academic Achievement -- Madelynn Loren Weas, Valedictorian, Sequatchie County High School.

House Joint Resolution No. 543 -- Memorials, Recognition -- Melissa Purkey.

House Joint Resolution No. 544 -- Memorials, Recognition -- Raven Lane.

House Joint Resolution No. 545 -- Memorials, Recognition -- Lydia Maggard.

House Joint Resolution No. 546 -- Memorials, Recognition -- Brittany Faulkner.

House Joint Resolution No. 547 -- Memorials, Recognition -- Krissy Holbert.

House Joint Resolution No. 548 -- Memorials, Recognition -- Holly Burrell.

House Joint Resolution No. 549 -- Memorials, Recognition -- Katie Bernard.

House Joint Resolution No. 550 -- Memorials, Interns -- Amani Moreland.

House Joint Resolution No. 551 -- Memorials, Interns -- Meredith Wallen.

House Joint Resolution No. 552 -- Memorials, Recognition -- Callie Relford.

House Joint Resolution No. 553 -- Memorials, Recognition -- Brandus Reagan Moyers.

House Joint Resolution No. 554 -- Memorials, Death -- Jimmie Lee Cunningham.

House Joint Resolution No. 555 -- Memorials, Interns -- Katelin Brown.

House Joint Resolution No. 556 -- Memorials, Academic Achievement -- Lauren Olivia Henson, Salutatorian, Red Boiling Springs High School.

House Joint Resolution No. 557 -- Memorials, Academic Achievement -- Tara Allison Pedigo, Valedictorian, Clay County High School.

House Joint Resolution No. 558 -- Memorials, Academic Achievement -- Cole Jarek Dziekiewicz, Valedictorian, Red Boiling Springs High School.

Senator Massey moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

CALENDAR NO. 1

Senate Bill No. 120 -- Criminal Offenses -- As introduced, enacts the "Organized Retail Crime Prevention Act." Amends TCA Title 39, Chapter 14, Part 1.

Senator Kelsey moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 1, is amended by adding the following language as a new section:

(a) This section shall be known and may be cited as the "Organized Retail Crime Prevention Act."

(b) For purposes of this section, "stored value card" means any card, gift card, instrument, or device issued with or without fee for the use of the cardholder to obtain money, goods, services, or anything else of value. Stored value cards include, but are not limited to, debit cards issued for use as a stored value card or gift card, and an account identification number or symbol used to identify a stored value card. "Stored value card" does not include a prepaid card usable at multiple, unaffiliated merchants or at automated teller machines, or both.

(c) A person commits the offense of organized retail crime when the person:

(1) Works with one (1) or more persons to commit theft of any merchandise with a value exceeding one thousand dollars (\$1,000) aggregated over a ninety-day period with the intent to sell that property for monetary or other gain, or to fraudulently return the merchandise to a retail merchant; or

(2) Receives, possesses, or purchases any merchandise or stored value cards obtained from a fraudulent return with the knowledge that the property was obtained in violation of § 39-14-103 or § 39-14-146.

(d) In a prosecution under subdivision (c)(2), the trier of fact may infer from the defendant's receipt, possession, or purchase of ten (10) or more stored value cards in a fourteen-day period from the same individual or merchant that the property was obtained in violation of § 39-14-103 or § 39-14-146.

(e) A violation of this section shall be punished as theft pursuant to § 39-14-105.

(f) Any interest in property acquired or maintained in violation of this section shall be subject to forfeiture as provided by title 39, chapter 11, part 7.

(g) Any sale or purchase of stored value cards by persons or merchants other than the original issuer or the issuer's authorized agent shall be subject to the recording procedures provided by title 45, chapter 6, part 2.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 120**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 193 -- Taxes, Income -- As introduced, exempts persons who are 100 or older from the Hall income tax. Amends TCA Title 67, Chapter 2.

On motion, Senate Bill No. 193 was made to conform with **House Bill No. 331**.

On motion, House Bill No. 331, on same subject, was substituted for Senate Bill No. 193.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 331** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 558 -- Education -- As introduced, enacts the "Tom Cronan Physical Education Act" to require all public elementary school students to participate in a physical education class at least two times per full calendar week. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6.

MR. SPEAKER McNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Dickerson.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Tom Cronan Physical Education Act."

SECTION 2. Tennessee Code Annotated, Section 49-6-1021, is amended by adding the following language as new subsections:

() (1) In addition to the integration of physical activity into the instruction school day according to subsection (a), each LEA shall require each student in elementary school to participate in a physical education class that meets at least two (2) times per full calendar week during the school year. The total physical education class time each full calendar week shall be no less than sixty (60) minutes. The physical education class shall be taught by a licensed teacher with an endorsement in physical education or a specialist in physical education.

(2) The physical education class shall meet the needs of students of all physical ability levels, including students with disabilities who shall participate in moderate physical activity to the extent appropriate as determined by the Individuals with Disabilities Education Act, compiled in 20 U.S.C. § 1400 et seq., Section 504 of the Rehabilitation Act compiled in 29 U.S.C § 701 et seq., or the student's individualized education program. An accommodation or alternative physical activity shall be provided for children with disabilities, if necessary.

(3) A student shall be excused from a physical education class for medical reasons as long as the student provides the school with a written note from a physician licensed under title 63, chapter 6 or 9, a nurse practitioner licensed under title 63, chapter 7, or a physician assistant licensed under title 63, chapter 19.

() An LEA shall file an annual report, as required by the commissioner of education, verifying that the LEA has met the physical education requirements of subsection (a).

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

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Thereupon, **Senate Bill No. 558**, as amended, passed its third and final consideration by the following vote:

Ayes 30
Noes 2

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Johnson, Ketron, Kyle, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

Senators voting no were: Kelsey and Lundberg--2.

A motion to reconsider was tabled.

Senate Bill No. 822 -- Public Employees -- As introduced, authorizes the state and local governments to provide health insurance benefits to the immediate family members of first responders killed in the line of duty for a period of three years after the death of the first responder; requires the state to reimburse local governments that provide such benefits. Amends TCA Title 8, Chapter 27.

On motion, Senate Bill No. 822 was made to conform with **House Bill No. 466**.

On motion, House Bill No. 466, on same subject, was substituted for Senate Bill No. 822.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

On motion of Senator Yager, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 466** passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senator Haile moved that **Senate Bill No. 1041** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 1059 -- Public Employees -- As introduced, increases the compensation from \$25,000 to a \$250,000 annuity payable in five annual installments of \$50,000, paid to the estate of a firefighter, volunteer rescue squad worker, or law enforcement officer who dies in the line of duty. Amends TCA Title 7, Chapter 51, Part 2; Title 9 and Title 68, Chapter 140.

On motion of Senator Bowling, Amendment No. 1 was withdrawn.

Senator Bowling moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting subsections (b) and (c) in Section 1 and substituting instead the following:

(b) The estate of any emergency responder who is killed in the line of duty shall be entitled to receive a two-hundred-fifty-thousand-dollar annuity, with the estate receiving an annual installment of fifty thousand dollars (\$50,000) for five (5) years. The emergency responder must have been current in any required training and physical exams at the time the death occurred for the estate to receive the payment. Payment shall be made from the general fund after receipt by the department of finance and administration of a certified death certificate, letters testamentary or letters of administration for the estate of the deceased from a probate court, and an affidavit from the decedent's employer or volunteer unit that the decedent was killed in the line of duty.

(c) A claim for payment of an annuity pursuant to this section must be filed with the department of finance and administration no later than three (3) years after the date of death of the decedent.

(d) A person's estate is only entitled to receive one (1) two-hundred-fifty-thousand-dollar annuity, regardless of the person being in more than one (1) category of emergency responder.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 1059**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

SPEAKER RESUMES CHAIR

Mr. Speaker McNally resumed the Chair.

Senator Bailey moved that **Senate Bill No. 1363** be rereferred to the Committee on Finance, Ways and Means, which motion prevailed.

Senate Bill No. 313 -- Medical Occupations -- As introduced, revises definitions related to practice of chiropractic; changes requirements related to composition, powers, and duties of the board of chiropractic examiners. Amends TCA Title 63, Chapter 4.

On motion, Senate Bill No. 313 was made to conform with **House Bill No. 387**.

On motion, House Bill No. 387, on same subject, was substituted for Senate Bill No. 313.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

On motion of Senator Crowe, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 387** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 358 -- Orders of Protection -- As introduced, allows the respondent to an ex parte order of protection to waive the right to a hearing on the order within 15 days of issuance if the respondent acknowledges that the ex parte order will remain in effect until the hearing is held and the court finds that the interests of justice require the continuance of the hearing. Amends TCA Title 36, Chapter 3, Part 6.

On motion, Senate Bill No. 358 was made to conform with **House Bill No. 711**.

On motion, House Bill No. 711, on same subject, was substituted for Senate Bill No. 358.

Senator Kelsey moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Massey moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting the amendatory language of Section 1 and substituting instead the following:

(2) Notwithstanding subdivision (b)(1), the court may continue a hearing beyond fifteen (15) days if:

(A) Both the petitioner and respondent consent to and agree that a continuance is in the parties' best interests;

(B) The respondent acknowledges and agrees that the terms and conditions of the ex parte order shall remain in effect for the duration of the continuance and until the hearing is held;

(C) As a condition of granting the continuance, the respondent agrees to voluntarily dispossess all firearms in the respondent's possession as provided in § 36-3-625 until the hearing is held; and

(D) The court finds that the interests of justice are best served by continuing the hearing; provided, that a hearing shall not be continued for more than thirty (30) days from the date the respondent is served with notice of the hearing.

Senator Johnson moved that Amendment No. 2 be placed behind Amendment No. 3, which motion prevailed.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting the amendatory language of Section 1 and substituting instead the following:

(2) Notwithstanding subdivision (b)(1), nothing shall prevent the respondent from waiving the right to a hearing within fifteen (15) days if:

(A) The respondent acknowledges that the ex parte order shall remain in effect until the hearing is held;

(B) Requested by the court as a condition of granting the continuance of the hearing, the respondent voluntarily dispossesses all firearms in the respondent's possession as provided in § 36-3-625 until the hearing is held; and

(C) The court finds that the interests of justice require the continuance of the hearing. The hearing shall be continued for no more than thirty (30) days from the date the respondent is served unless both the respondent and petitioner agree to a continuance that extends the date of the hearing beyond the thirty (30) days.

Senator Bell moved for the previous question on **Amendment No. 3**, which motion prevailed.

On motion, Amendment No. 3 failed by the following vote:

Ayes	12
Noes	17
Present, not voting . . .	3

Senators voting aye were: Bell, Gardenhire, Green, Haile, Johnson, Norris, Overbey, Roberts, Stevens, Tracy, Watson and Mr. Speaker McNally--12.

Senators voting no were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gresham, Harper, Harris, Hensley, Jackson, Ketron, Kyle, Lundberg, Massey, Niceley, Southerland and Yarbrow--17.

Senators present and not voting were: Beavers, Kelsey and Yager--3.

On motion, Amendment No. 2 was adopted.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 711**, as amended, passed its third and final consideration by the following vote:

Ayes 29
Noes 3

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tracy, Watson, Yager and Mr. Speaker McNally--29.

Senators voting no were: Harris, Kyle and Yarbro--3.

A motion to reconsider was tabled.

Senator Overbey moved that **Senate Bill No. 371** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 1079 -- Public Buildings -- As introduced, requires that edges of steps into public buildings constructed, purchased, or leased by the state or its political subdivisions be marked with yellow paint to assist persons with vision impairment. Amends TCA Title 68.

On motion, Senate Bill No. 1079 was made to conform with **House Bill No. 1381**.

On motion, House Bill No. 1381, on same subject, was substituted for Senate Bill No. 1079.

Senator Yager moved that **House Bill No. 1381** be moved two places down on Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 1279 -- General Assembly -- As introduced, creates a special joint committee to study issues relating to the investigation and prosecution of unsolved civil rights crimes and cold cases from the civil rights era. Amends TCA Title 3, Chapter 1, Part 1.

On motion, Senate Bill No. 1279 was made to conform with **House Bill No. 1306**.

On motion, House Bill No. 1306, on same subject, was substituted for Senate Bill No. 1279.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following language immediately after the existing language in subsection (f) of Section 1:

The special joint committee shall meet only on days in which the general assembly has scheduled a floor session to consider legislation or on days standing committees of the general assembly are scheduled to meet.

AND FURTHER AMEND by deleting the word "January" in subsection (g) of SECTION 1 and substituting instead the word "April".

On motion, Amendment No. 1 was adopted.

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Thereupon, **House Bill No. 1306**, as amended, passed its third and final consideration by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Massey, Niceley, Norris, Roberts, Southerland, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

Senate Bill No. 1334 -- Criminal Procedure -- As introduced, requires the Tennessee bureau of investigation (TBI) to review the number of expunction petitions filed in 2017 for crimes committed prior to November 1, 1989, the number of petitions that were granted, and the number of petitions that were rejected; requires TBI to report its findings to the general assembly in January of 2019. Amends TCA Section 40-32-101.

On motion, Senate Bill No. 1334 was made to conform with **House Bill No. 1296**.

On motion, House Bill No. 1296, on same subject, was substituted for Senate Bill No. 1334.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1296** passed its third and final consideration by the following vote:

Ayes 22
Noes 7
Present, not voting . . . 1

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Kyle, Massey, Niceley, Norris, Southerland, Tate, Watson and Yarbrow--22.

Senators voting no were: Beavers, Kelsey, Lundberg, Overbey, Stevens, Yager and Mr. Speaker McNally--7.

Senator present and not voting was: Roberts--1.

A motion to reconsider was tabled.

FURTHER ACTION ON HOUSE BILL NO. 1381

On motion of Senator Yager, Amendment No. 1 was withdrawn.

On motion of Senator Lundberg, Amendment No. 2 was withdrawn.

On motion of Senator Lundberg, Amendment No. 3 was withdrawn.

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Thereupon, **House Bill No. 1381** passed its third and final consideration by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

Senate Bill No. 1390 -- State Employees -- As introduced, requires each department to report the number of preferred service employees in the department affected by a reduction-in-force during the previous fiscal year to the chairs of the state government committee of the house of representatives and the state and local government committee of the senate. Amends TCA Title 4; Title 8; Title 9, Chapter 4, Part 53; Title 10; Title 11; Title 12; Title 41; Title 50 and Title 54.

On motion, Senate Bill No. 1390 was made to conform with **House Bill No. 975**.

On motion, House Bill No. 975, on same subject, was substituted for Senate Bill No. 1390.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Senator Dickerson moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following section immediately preceding the last section and renumbering the last section accordingly:

SECTION __. Tennessee Code Annotated, Title 4, Chapter 3, Part 1, is amended by adding the following new section:

(a) Not less than thirty (30) days before a department or agency of state government executes a state professional facilities management contract for services within a state legislative district that would result in the outsourcing of facilities management services to private, non-state government entities, the respective department or agency shall notify each member of the general assembly representing such district of the contract.

(b) In addition, on an annual basis, the department of general services shall provide a facilities management status report to the governor, speaker of the senate, and speaker of the house of representatives. The report shall include, but not be limited to, the following information:

(1) The departments or agencies executing a state contract for professional facilities management;

(2) The number of state employees impacted by such contract;

(3) The estimated cost savings of such contract; and

(4) The cost savings realized by any such contract in place for one (1) year or greater.

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 975**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senator Jackson moved that **Senate Joint Resolution No. 92** be placed on the first Calendar for 2018, which motion prevailed.

Senate Bill No. 445 -- Firearms and Ammunition -- As introduced, creates a private cause of action for a party that is adversely affected by a local ordinance, resolution, policy, rule, or other enactment on firearms that is preempted by state law; prohibits local or state government entities from prohibiting or restricting firearms on state or local property unless certain conditions are met. Amends TCA Title 29, Chapter 20 and Title 39, Chapter 17, Part 13.

Senator Overbey declared Rule 13 on **Senate Bill No. 445**.

Senator Yarbro declared Rule 13 on **Senate Bill No. 445**.

Senator Norris declared Rule 13 on **Senate Bill No. 445**.

On motion, Senate Bill No. 445 was made to conform with **House Bill No. 508**.

On motion, House Bill No. 508, on same subject, was substituted for Senate Bill No. 445.

Senator Kelsey moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Senator Yarbro moved that Amendment No. 3 be placed behind Amendment No. 5, which motion prevailed.

On motion of Senator Yarbro, Amendment No. 4 was withdrawn.

Senator Yarbrow moved that Amendment No. 5 be placed behind Amendment No. 6, which motion prevailed.

Senator Yarbrow moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting the word "or" from the end of subdivision (g)(2)(E); deleting the period at the end of subdivision (g)(2)(F) and substituting instead the language "; or"; and adding the following as a new, appropriately designated subdivision to subdivision (g)(2) in the amendatory language of Section 3:

(G) Public transit facilities and property.

On motion, Amendment No. 3 failed by the following vote:

Ayes	4
Noes	27

Senators voting aye were: Dickerson, Harris, Kyle and Yarbrow--4.

Senators voting no were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tracy, Watson, Yager and Mr. Speaker McNally--27.

Senator Stevens moved to amend as follows:

AMENDMENT NO. 6

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1314, is amended by adding the following as new subsections:

(g)(1) Notwithstanding title 29, chapter 20, a party who is adversely affected by an ordinance, resolution, policy, rule, or other enactment that is adopted or enforced by a county, city, town, municipality, or metropolitan government or any local agency, department, or official that violates this section may file an action in a court of competent jurisdiction against the county, city, town, municipality, or metropolitan government for:

(A) Declaratory and injunctive relief; and

(B) Damages, as provided in subsection (i).

(2) This subsection (g) shall apply to any ordinance, resolution, policy, rule, or other enactment that is adopted or enforced on or after July 1, 2017.

(h) As used in subsection (g), a party is "adversely affected" if:

(1) The party is an individual who:

(A) Lawfully resides within the United States;

(B) May legally possess a firearm under Tennessee law; and

(C) Is or was subject to the ordinance, resolution, policy, rule, or other enactment that is the subject of an action filed under subsection (g). An individual is or was subject to the ordinance, resolution, policy, rule, or other enactment if the individual is or was physically present within the boundaries of the political subdivision for any reason; or

(2) The party is a membership organization that:

(A) Includes two (2) or more individuals described in subdivision (h)(1); and

(B) Is dedicated in whole or in part to protecting the rights of persons who possess, own, or use firearms for competitive, sporting, defensive, or other lawful purposes.

(i) A prevailing plaintiff in an action under subsection (g) is entitled to recover from the county, city, town, municipality, or metropolitan government the following:

(1) The greater of:

(A) Actual damages, including consequential damages, attributable to the ordinance, resolution, policy, rule, or other enactment; or

(B) Three (3) times the plaintiff's attorney's fees;

(2) Court costs, including fees; and

(3) Reasonable attorney's fees; provided, that attorney's fees shall not be awarded under this subdivision (i)(3) if the plaintiff recovers under subdivision (i)(1)(B).

SECTION 2. Tennessee Code Annotated, Title 29, Chapter 20, Part 2, is amended by adding the following as a new section:

Immunity from suit of all governmental entities is removed for causes of action brought under § 39-17-1314(g)-(i).

SECTION 3. Tennessee Code Annotated, Section 39-17-1359, is amended by adding the following new subsection (g):

(1) Except as provided in subdivision (g)(2), nothing in this section shall authorize an entity of local government or a permittee thereof to enact or enforce a prohibition or restriction on the possession of a handgun by a handgun carry permit holder on property owned or administered by the entity unless the following are provided at each public entrance to the property:

(A) Metal detection devices;

(B) At least one (1) law enforcement or private security officer who has been adequately trained to conduct inspections of persons entering the property by use of metal detection devices; and

(C) That each person who enters the property through the public entrance when the property is open to the public and any bag, package, and other container carried by the person is inspected by a law enforcement or private security officer described in subdivision (g)(1)(B) or an authorized representative with the authority to deny entry to the property.

(2) Subdivision (g)(1) does not apply to:

(A) Facilities that are licensed under title 33, 37, or 68;

(B) Property on which firearms are prohibited by § 39-17-1309 or § 39-17-1311(b)(1)(H)(ii);

(C) Property on which firearms are prohibited by § 39-17-1306 at all times regardless of whether judicial proceedings are in progress;

(D) Buildings that contain a law enforcement agency, as defined in § 39-13-519;

(E) Libraries; or

(F) Facilities that are licensed by the department of human services, under title 71, chapter 3, part 5, and administer a Head Start program.

SECTION 4. Tennessee Code Annotated, Section 39-17-1359(f), is amended by deleting the language "This section shall not apply to" and substituting instead the language "Except as provided in subsection (g), this section shall not apply to".

SECTION 5. Tennessee Code Annotated, Section 39-17-1306(a), is amended by deleting the word "room" and substituting instead the word "building".

SECTION 6. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 6 was adopted.

On motion of Senator Yarbro, Amendment No. 5 was withdrawn.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Tracy.

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Senator Watson moved for the previous question on **House Bill No. 508**, as amended, which motion prevailed.

Thereupon, **House Bill No. 508**, as amended, passed its third and final consideration by the following vote:

Ayes	26
Noes	6

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tracy, Watson, Yager and Mr. Speaker McNally--26.

Senators voting no were: Dickerson, Harper, Harris, Kyle, Tate and Yarbro--6.

A motion to reconsider was tabled.

Senator Haile moved that **Senate Bill No. 1041** be placed at the heel of Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 371 -- Unclaimed Property -- As introduced, enacts the "Uniform Unclaimed Property Act." Amends TCA Title 30; Title 45; Title 48; Title 56; Title 66 and Title 67.

On motion, Senate Bill No. 371 was made to conform with **House Bill No. 420**.

On motion, House Bill No. 420, on same subject, was substituted for Senate Bill No. 371.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

On motion of Senator Johnson, Amendment No. 3 was withdrawn.

On motion of Senator Overbey, Amendment No. 4 was withdrawn.

Thereupon, **House Bill No. 420** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tracy, Watson, Yarbro and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

CALENDAR NO. 2

Senate Bill No. 3 -- Taxes, Sales -- As introduced, allocates state sales tax revenue derived from sales of admissions to events of a major league soccer franchise to the municipality in which a sports authority is organized and has secured the franchise. Amends TCA Title 67, Chapter 6.

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Senator Norris declared Rule 13 on **Senate Bill No. 3**.

On motion, Senate Bill No. 3 was made to conform with **House Bill No. 6**.

On motion, House Bill No. 6, on same subject, was substituted for Senate Bill No. 3.

Thereupon, **House Bill No. 6** passed its third and final consideration by the following vote:

Ayes	24
Noes	2
Present, not voting . . .	2

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Ketron, Lundberg, Massey, Overbey, Southerland, Stevens, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--24.

Senators voting no were: Harris and Kelsey--2.

Senators present and not voting were: Kyle and Roberts--2.

A motion to reconsider was tabled.

Senator Bell moved that **Senate Bill No. 53** be moved five places down on Calendar No. 2 for today, which motion prevailed.

Senator Green moved that **Senate Bill No. 230** be placed at the heel of Calendar No. 2 for today, which motion prevailed.

SPEAKER PRO TEMPORE TRACY RELINQUISHES CHAIR

Speaker Pro Tempore Tracy relinquished the Chair to Senator Haile.

Senate Bill No. 292 -- Boards and Commissions -- As introduced, changes the date on which assessments of costs in disciplinary cases conducted by agencies connected to the division of regulatory boards become final and subject to judgment and execution from 30 to 35 days from the date of the assessment. Amends TCA Title 55; Title 56, Chapter 1 and Title 62, Chapter 6.

On motion, Senate Bill No. 292 was made to conform with **House Bill No. 333**.

On motion, House Bill No. 333, on same subject, was substituted for Senate Bill No. 292.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 333** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg,

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Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 562 -- Education, Higher -- As introduced, creates the Initiative on HBCUs to focus on ways to support programs and initiatives that will increase the number of graduates from HBCUs in the state; authorizes the initiative to consult with the Consortium of Historically Black Colleges and Universities to ensure the initiative meets its goal. Amends TCA Section 4-3-733 and Title 49, Chapter 7.

On motion, Senate Bill No. 562 was made to conform with **House Bill No. 553**.

On motion, House Bill No. 553, on same subject, was substituted for Senate Bill No. 562.

On motion of Senator Tate, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 553** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

MOTION

Senator Norris moved that **Senate Bill No. 230** be considered next, out of order, which motion prevailed.

CALENDAR NO. 2

Senate Bill No. 230 -- Taxes, Gasoline, Petroleum Products -- As introduced, removes statutory allocations to the general fund from certain fuel tax revenues; reallocates certain allocations. Amends TCA Title 67, Chapter 3, Part 9.

On motion, Senate Bill No. 230 was made to conform with **House Bill No. 910**.

On motion, House Bill No. 910, on same subject, was substituted for Senate Bill No. 230.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-3-901, is amended by deleting subsection (g) and substituting instead the following:

(g) Prior to the apportionment set out in subsections (b), (c), (d) and (f), there shall be apportioned for distribution to the wildlife resources fund an amount equal to five thousand three hundred forty-four ten-thousandths of one percent (0.5344%) of the taxes collected under § 67-3-201, exclusive of tax revenues resulting from the three cents (3¢) per gallon gasoline tax increase imposed by chapter 46 of the Public Acts of 1989 and all tax revenues resulting from the gasoline tax increase imposed by chapter 181 of the Public Acts of 2017.

SECTION 2. Tennessee Code Annotated, Section 67-3-901(b), is amended by deleting subdivisions (3) and (4) and substituting instead the following:

(3) Twenty-eight and sixty-eight hundredths percent (28.68%) of total taxes collected to the various counties of the state on the basis set out in § 54-4-103;

(4) Fourteen and thirty-eight hundredths percent (14.38%) of total taxes collected to the various municipalities, as defined by § 54-4-201, on the basis set out at § 54-4-203; and

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 910**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 564 -- Taxes, Exemption and Credits -- As introduced, exempts a nonprofit educational institution from property taxes, under certain circumstances. Amends TCA Section 67-5-212.

On motion, Senate Bill No. 564 was made to conform with **House Bill No. 585**.

On motion, House Bill No. 585, on same subject, was substituted for Senate Bill No. 564.

House Bill No. 585 passed its third and final consideration by the following vote:

Ayes	33
Noes	0

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Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

MOTION

Senator Stevens moved that **Senate Bill No. 1087** be placed on the next Message Calendar, which motion prevailed.

CALENDAR NO. 2

Senate Bill No. 570 -- State Universities -- As introduced, removes the prohibition on a state university governing board member serving on the governing board of any institution of higher education and replaces it with a prohibition on a state university governing board member serving on the governing board of a public institution of higher education. Amends TCA Title 49, Chapter 8, Part 2.

On motion, Senate Bill No. 570 was made to conform with **House Bill No. 1013**.

On motion, House Bill No. 1013, on same subject, was substituted for Senate Bill No. 570.

House Bill No. 1013 passed its third and final consideration by the following vote:

Ayes	25
Noes	3
Present, not voting . . .	2

Senators voting aye were: Bell, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Roberts, Southerland, Stevens, Tate, Watson, Yager and Mr. Speaker McNally--25.

Senators voting no were: Bowling, Briggs and Norris--3.

Senators present and not voting were: Tracy and Yarbrow--2.

A motion to reconsider was tabled.

Senate Bill No. 580 -- Election Laws -- As introduced, requires election officials to examine documents and petitions before accepting them for filing to ensure all required information is provided properly and filing deadlines are met; presumes that documents and petitions accepted for filing have met all requirements for filing. Amends TCA Title 2 and Title 49.

On motion, Senate Bill No. 580 was made to conform with **House Bill No. 992**.

On motion, House Bill No. 992, on same subject, was substituted for Senate Bill No. 580.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 992** passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

SPEAKER PRO TEMPORE RESUMES CHAIR

Speaker Pro Tempore Tracy resumed the Chair.

Senate Bill No. 53 -- Administrative Procedure (UAPA) -- As introduced, continues permanent rules filed with the secretary of state after January 1, 2016; schedules auctioneer commission rule defining "timed listings" for purposes of online auctions to expire on the effective date of the act.

On motion, Senate Bill No. 53 was made to conform with **House Bill No. 261**.

On motion, House Bill No. 261, on same subject, was substituted for Senate Bill No. 53.

Senator Bell moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2 and substituting instead the following:

SECTION 2. The department of revenue shall be prohibited from collecting any internet sales or use taxes authorized under department rule 1320-05-01-.129(2) and permitted under a ruling of any court, until such court's ruling has been fully reviewed and rule 1320-05-01.129(2) has been approved by the general assembly pursuant to § 4-5-226.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 261**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 585 -- Education, Higher -- As introduced, requires THEC to publish in the Tennessee Postsecondary Education Fact Book information that TSAC and THEC collect annually on the Tennessee Promise scholarship program so that it is readily available to the public. Amends TCA Title 49.

On motion, Senate Bill No. 585 was made to conform with **House Bill No. 335**.

On motion, House Bill No. 335, on same subject, was substituted for Senate Bill No. 585.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-4-930, is amended by deleting subsection (b) in its entirety and substituting instead the following language:

An eligible student must submit an application for the dual enrollment grant each academic year. To be eligible for a dual enrollment grant for a semester beyond the first semester of receipt in an academic year, the student shall continue to meet all eligibility requirements for the grant and shall achieve a cumulative grade point average of 2.75 for all postsecondary courses attempted under a dual enrollment grant.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 50, is amended by adding the following language as a new section:

Full-time employees of the state eligible for a waiver of tuition and fees pursuant to § 8-50-114 who are required to work more hours each week than typically required of full-time employment for at least four (4) weeks per year shall be exempt from the requirement that the waiver be used for only one (1) course at a time. Certification of eligibility for this exemption shall be completed by the applicant's employer at the time of application for the waiver. Nothing in this section shall allow an employee to exceed enrollment in more than four (4) courses per academic year.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring.

On motion, Amendment No. 1 was adopted.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-4-930, is amended by deleting subsection (b) in its entirety and substituting instead the following language:

An eligible student must submit an application for the dual enrollment grant each academic year. To be eligible for a dual enrollment grant for a semester beyond the first semester of receipt in an academic year, the student shall continue to meet all eligibility requirements for the grant and shall achieve a cumulative grade point average of 2.75 for all postsecondary courses attempted under a dual enrollment grant.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 50, is amended by adding the following language as a new section:

Full-time employees of the state eligible for a waiver of tuition and fees pursuant to § 8-50-114 who are required to work more hours each week than typically required of full-time employment for at least four (4) weeks per year shall be exempt from the requirement that the waiver be used for only one (1) course at a time. Certification of eligibility for this exemption shall be completed by the applicant's employer at the time of application for the waiver. Nothing in this section shall allow an employee to exceed enrollment in more than four (4) courses per academic year.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring

Senator Watson moved that **House Bill No. 335**, as amended, be moved three places down on Calendar No. 2 for today, which motion prevailed.

Senator Watson moved that **Senate Bill No. 641** be placed behind **House Bill No. 335**, as amended, which motion prevailed.

Senate Bill No. 864 -- Education -- As introduced, changes from September 15 to October 15 the date by which a public institution of higher education operating a hearing center must submit a written report to the Tennessee higher education commission and the education committees of the senate and house of representatives regarding patient service. Amends TCA Title 4 and Title 49.

On motion, Senate Bill No. 864 was made to conform with **House Bill No. 1169**.

On motion, House Bill No. 1169, on same subject, was substituted for Senate Bill No. 864.

Senator Gresham moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Senator Haile moved that **House Bill No. 1169** be moved three places down on Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 1136 -- Municipal Government -- As introduced, allows municipal administrative officers to, in lieu of levying a fine, order a violator of a municipal ordinance to attend an educational course that addresses compliance with locally adopted building and property maintenance ordinances. Amends TCA Title 6, Chapter 54, Part 10.

Senator Overbey declared Rule 13 on **Senate Bill No. 1136**.

On motion, Senate Bill No. 1136 was made to conform with **House Bill No. 1322**.

On motion, House Bill No. 1322, on same subject, was substituted for Senate Bill No. 1136.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1322** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1218 -- Lottery, Scholarships and Programs -- As introduced, enacts the Tennessee reconnect grant. Amends TCA Title 49, Chapter 4, Part 9.

On motion, Senate Bill No. 1218 was made to conform with **House Bill No. 531**.

On motion, House Bill No. 531, on same subject, was substituted for Senate Bill No. 1218.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting the effective date section and substituting instead the following:

SECTION 10. Sections 4, 5, 6, 7, and 9 of this act shall take effect upon becoming a law, the public welfare requiring it. All other sections of this act shall take effect August 1, 2018, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 531**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

FURTHER ACTION ON HOUSE BILL NO. 335, AS AMENDED

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 335**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

FURTHER ACTION ON HOUSE BILL NO. 1169

Thereupon, **House Bill No. 1169** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 641 -- Annexation -- As introduced, allows voters residing within an area annexed by a municipality to petition the county election commission to hold an election to deannex such territory; specifies the taxes that may continue to be levied on a deannexed area; prohibits the extension or continuation of utility services outside municipal boundaries to obtain consent to annexation. Amends TCA Title 6, Chapter 51 and Title 54, Chapter 4, Part 2.

Senator Norris declared Rule 13 on **Senate Bill No. 641**.

Senator Overbey declared Rule 13 on **Senate Bill No. 641**.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following as subdivision (c)(4) in Section 4:

(4) A territory shall not be eligible for deannexation under this subsection (c) if the deannexation will result in the creation of an area of unincorporated territory that is completely surrounded by municipal boundaries.

On motion, Amendment No. 1 was adopted.

Senator Yager moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator Yager moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting subdivision (c)(2) in Section 4, inserting the following subdivisions (c)(2) and (c)(3), and renumbering the subsequent subdivision accordingly:

(2) In order to be considered at the next scheduled citywide or countywide election, primary, or referendum, a petition for deannexation pursuant to subdivision (c)(1) must be filed with the county election commission not less than seventy-five (75) days before such election, primary, or referendum. Upon receipt of the petition, the county election commission shall notify the municipality and hold an election to coincide with the next citywide or countywide election, primary, or referendum that is scheduled not less than seventy-five (75) days after the petition for deannexation is filed with the county election commission. The municipality shall determine the debt amount and the unfunded pension obligations and unfunded other post-employment benefits (OPEB) obligations pursuant to § 6-51-204(a) not less than thirty (30) days prior to the election. The election commission shall submit to all qualified voters residing in the municipality the question of "For Deannexation" or "Against Deannexation." If a majority of voters approve the deannexation, the deannexation of the territory shall become operative thirty (30) days after the date that the county election commission makes its official canvass of the election returns. If a majority of the voters fail to approve the deannexation, then the county election commission shall file the certificate of the result with the county clerk, and no further election may be held for the territory pursuant to this subsection (c).

(3) If a court finds under § 6-51-108 that a municipality has materially and substantially failed to comply with its plan of services and a majority of the voters fail to approve the deannexation under (c)(2), then the municipality must comply with the plan of services adopted by the municipality pursuant to § 6-51-102 within five (5) years of the date the county election commission makes its official canvass of the election returns. If the municipality does not comply with the plan of services within that five-year period, the territory that was the subject of the failed election shall be automatically deannexed from the corporate boundaries of the municipality and such deannexation shall be operative immediately.

On motion, Amendment No. 3 was adopted.

Senator Yager moved to amend as follows:

AMENDMENT NO. 4

AMEND by adding the following language as a new, appropriately designated subdivision in Section 4(c):

() This subsection (c)() shall apply to any municipality that adopts a comprehensive deannexation plan by ordinance of the municipality to be completed by a date specified in the ordinance. If a municipality adopts a comprehensive deannexation plan before January 1, 2018, that plan shall control. The comprehensive deannexation plan ordinance may call for referenda to approve or disapprove the deannexation of particular territories identified in the comprehensive deannexation plan. If a referendum is called in accordance with the comprehensive deannexation plan, the question of approval or disapproval of the deannexation shall be submitted only to the qualified voters residing within the territory to be deannexed and shall be approved by a majority of voters.

Senator Watson moved that **Senate Bill No. 641**, as amended, be moved four places down on Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 1224 -- Public Contracts -- As introduced, clarifies that the chief procurement officer may transmit in electronic format the annual report to the governor and to each member of the general assembly concerning the awarding of purchases to minority-owned business, woman-owned business, service-disabled veteran-owned business, or small business and the total value of awards made during the preceding fiscal year under the Tennessee Minority-Owned, Woman-Owned and Small Business Procurement and Contracting Act. Amends TCA Title 4 and Title 12.

On motion, Senate Bill No. 1224 was made to conform with **House Bill No. 1276**.

On motion, House Bill No. 1276, on same subject, was substituted for Senate Bill No. 1224.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1276** passed its third and final consideration by the following vote:

Ayes	24
Noes	2

Senators voting aye were: Bell, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Norris, Overbey, Southerland, Tate, Tracy, Watson, Yager and Yarbrow--24.

Senators voting no were: Hensley and Niceley--2.

A motion to reconsider was tabled.

Senate Bill No. 1230 -- Criminal Offenses -- As introduced, enacts the "Elderly and Vulnerable Adult Protection Act." Amends TCA Title 39; Title 40 and Title 71.

On motion, Senate Bill No. 1230 was made to conform with **House Bill No. 810**.

On motion, House Bill No. 810, on same subject, was substituted for Senate Bill No. 1230.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 810** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 1241 -- Sentencing -- As introduced, increases penalty for unlawfully possessing a firearm with a prior conviction for a felony involving use of force or violence from Class C felony to Class B felony; increases from Class D felony to Class C felony penalty for person unlawfully possessing firearm with prior felony drug offense; increases penalty for unlawfully possessing a handgun with a prior felony from Class E felony to Class D felony; makes person convicted of unlawfully possessing a firearm with a prior conviction involving use of force or violence ineligible for probation. Amends TCA Title 39, Chapter 17, Part 13 and Title 40, Chapter 35, Part 3.

On motion, Senate Bill No. 1241 was made to conform with **House Bill No. 452**.

On motion, House Bill No. 452, on same subject, was substituted for Senate Bill No. 1241.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 452** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 1245 -- Criminal Procedure -- As introduced, reduces from \$350 to \$180 the expunction fee for criminal convictions; revises allocation of fee proceeds. Amends TCA Section 8-21-401 and Title 40.

On motion, Senate Bill No. 1245 was made to conform with **House Bill No. 418**.

On motion, House Bill No. 418, on same subject, was substituted for Senate Bill No. 1245.

House Bill No. 418 passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager and Yarbro--31.

A motion to reconsider was tabled.

FURTHER ACTION ON SENATE BILL NO. 641, AS AMENDED

On motion, Amendment No. 4 was adopted.

On motion of Senator Yager, Amendment No. 2 was withdrawn.

Senator Watson moved that **Senate Bill No. 641**, as amended be placed on the Calendar for Wednesday, May 10, 2017, which motion prevailed.

Senate Bill No. 1250 -- Energy -- As introduced, creates the Tennessee energy policy council to make recommendations to the governor and general assembly on how to manage energy resources in this state. Amends TCA Title 4, Chapter 29; Title 59; Title 60; Title 65 and Title 68.

On motion, Senate Bill No. 1250 was made to conform with **House Bill No. 438**.

On motion, House Bill No. 438, on same subject, was substituted for Senate Bill No. 1250.

Senator Bell moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the caption and substituting instead the following:

WHEREAS, energy is essential to the health, safety, and welfare of the people of this State and to the workings of the State economy; and

WHEREAS, it is in the State's best interest to support the development of a reliable and adequate supply of energy for Tennessee that is secure, stable, and predictable in order to facilitate economic growth, job creation, and expansion of business and industry opportunities; and

WHEREAS, it is also in the State's best interest to support the exploration, development, and production of domestic energy supplies, preferably from the resources within the State or region and most certainly from within the country; and

WHEREAS, state government has a duty to protect and preserve the State's natural resources, cultural heritage, and quality of life and, above all, the public health and safety of its residents during the exploration, development, and production of domestic energy resources; and

WHEREAS, it is critical that this State provide the basis for development of a long-range unified energy policy to encompass comprehensive energy resource planning and efficient management of existing energy resources in relation to economic growth, to effectively meet an energy crisis, to encourage development of alternative sources of energy that are capable of achieving a positive benefit-to-cost ratio, and to ensure efficient utilization of energy resources in a manner consistent with assuring a reliable and adequate supply of energy for Tennessee, including active support and collaboration with the federal government to ensure access to the nation's energy resources; and

WHEREAS, the development of a unified domestic energy policy for the State of Tennessee as part of a nationwide effort for increased domestic energy production is paramount to our national security and economic growth and stability; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-29-240(a), is amended by inserting the following as a new, appropriately designated subdivision:

() State energy policy council, created by § 68-204-101;

SECTION 2. Tennessee Code Annotated, Title 68, is amended by adding the following language as a new chapter:

68-204-101. There is created the state energy policy council, to be administratively attached to the office of the comptroller of the treasury.

68-204-102. For the purposes of this chapter, "council" means the state energy policy council.

68-204-103. (a) The council is created to advise and make recommendations to the governor and to the general assembly on how to:

(1) Identify all state energy resources to ensure a secure, stable, and more predictable energy supply;

(2) Manage the use of energy resources; and

(3) Increase domestic energy exploration, development, and production within the state and region, with the goal of promoting economic growth and job creation while ensuring the protection and preservation of the state's natural resources, cultural heritage, and quality of life.

(b) The council shall have the following general duties and responsibilities:

(1) Compile an annual report assessing the energy sector in this state, including the opportunities and the constraints presented by various uses of energy, to facilitate the expansion of the domestic energy supply, and to encourage the efficient use of all such energy forms in a manner consistent with state energy policy;

(2) Develop an ongoing comprehensive state energy policy plan to achieve maximum effective management and use of present and future sources of energy. The policy plan may include energy efficiency, renewable and alternative sources of energy, research and development into alternative energy technologies, and improvements to the state's energy infrastructure and energy economy, including smart grid and domestic energy resources, including, but not limited to, natural gas, coal, hydroelectric power, solar, wind, nuclear, and biomass;

(3) Create an annual energy policy plan that recommends:

(A) Necessary energy legislation to the governor and to the general assembly;

(B) The promulgation of necessary rules to regulatory boards charged with administering this title; and

(C) The implementation and modification of energy policy, plans, and programs as the council considers necessary and desirable;

(4) Continually review and coordinate all state government research, education, and management programs relating to energy matters;

(5) Educate and inform the general public regarding any energy matters; and

(6) Actively engage in discussions with federal government agencies and leaders to identify opportunities to increase domestic energy supply within this state.

(c) The council shall serve as the central energy policy planning body of the state and shall communicate and cooperate with federal, state, regional, and local bodies and agencies for the purpose of affecting a coordinated energy policy.

68-204-104. (a) The council shall be comprised of fourteen (14) members as follows:

(1) The governor or the governor's designee shall serve as an ex officio, voting member of the council;

(2) The governor shall appoint:

(A) One (1) representative of energy resource extraction or energy production industries, excluding the Tennessee Valley authority, who may be appointed from lists of qualified

persons submitted by interested energy resource extraction or energy production industries including, but not limited to, the biofuel, oil and gas, wind, coal, solar energy, geothermal energy, hydropower, and nuclear energy industries. The governor shall consult with the industries listed in this subdivision (a)(2)(A) to determine qualified persons to fill the position on the council;

(B) One (1) representative of a commercial, industrial, or agricultural energy consumer; and

(C) One (1) representative of an institution of higher education in this state;

(3) The speaker of the house of representatives shall appoint:

(A) One (1) representative of the energy research and development industry, who may be selected from lists of qualified persons submitted by interested research and development industries, including, but not limited to, the Oak Ridge National Laboratory. The speaker shall consult with the industries described in this subdivision (a)(3)(A) to determine qualified persons to fill the position on the council;

(B) One (1) representative of the Tennessee Valley authority;

(C) One (1) representative of a local distribution utility; and

(D) One (1) representative of a transportation-related industry; including, but not limited to, wholesalers, transportation equipment manufacturers, shipping companies, and local transit authorities;

(4) The speaker of the senate shall appoint:

(A) Two (2) residential energy users;

(B) One (1) representative of environmental groups; and

(C) One (1) representative who is knowledgeable of and has expertise in energy efficiency and energy conservation as it relates to the built environment, who may be selected from lists of qualified persons submitted by interested parties from the engineering and architectural professions in this state. The speaker shall consult with the professions described in this subdivision (a)(4)(C) to determine qualified persons to fill the position on the council;

(5) The state treasurer or the treasurer's designee shall serve as an ex officio, nonvoting member of the council; and

(6) One (1) nonvoting student member with expertise in energy issues and energy policy, who, during the person's tenure as a member of the council, is enrolled as a graduate student in an institution of higher education in this state. The student member shall be appointed by the council from nominations submitted by university faculty members at such institutions.

(b) In addition to any other requirements for membership on the council, all persons appointed or otherwise named to serve as members of the council shall be bona fide residents of this state, and shall continue to reside in this state during their tenure on the council.

(c)(1) All appointments to the council shall be made by July 1, 2017.

(2) In order to stagger the terms of the newly appointed council members, initial appointments shall be made as follows:

(A) The members listed in subdivision (a)(2) shall serve initial terms of one (1) year, which shall expire on June 30, 2018;

(B) The members listed in subdivision (a)(3) shall serve initial terms of two (2) years, which shall expire on June 30, 2019; and

(C) The members listed in subdivision (a)(4) shall serve initial terms of three (3) years, which shall expire on June 30, 2020.

(3) The student member appointed pursuant to subdivision (a)(6) shall serve a term of two (2) years, but shall not serve more than two (2) consecutive terms as a member of the council.

(d)(1) Following the expiration of members' initial terms as prescribed in subdivision (c)(2), all three-year terms shall begin on July 1 and terminate on June 30, three (3) years thereafter.

(2) All members shall serve until the expiration of the term to which they were appointed and until their successors are appointed and qualified.

(3) In case of a vacancy in the membership on the council prior to the expiration of a member's term, a successor shall be appointed within thirty (30) days of the vacancy for the remainder of the unexpired term by the appropriate appointing authority and in the same manner as the original appointment.

(e) The appointing authorities may remove any member of the council for misconduct, incompetency, willful neglect of duty, or other just cause.

(f) Prior to beginning their duties, each member of the council shall take and subscribe to the oath of office provided for state officers.

(g) In making appointments to the council, the appointing authorities shall strive to ensure that the council is composed of persons who are diverse in professional or educational background, ethnicity, race, sex, geographic residency, heritage, perspective, and experience.

68-204-105. (a) The chair of the council shall be appointed by the governor from among the council's membership and shall call the first meeting of the council. The chair shall serve in that capacity for one (1) year and shall be eligible for reappointment. The chair shall preside at all meetings and shall have all the powers and privileges of the other members.

(b) Each member, upon expiration of the member's term, shall continue to hold office until a successor is appointed.

(c) A majority of those members serving on the council shall constitute a quorum.

(d) Members appointed pursuant to § 68-204-104(a)(2)-(4) shall be eligible for reappointment to the council following the expiration of their terms, but shall serve no more than two (2) consecutive three-year terms.

(e) Members shall receive no compensation for their service on the council, but shall be reimbursed for travel and other necessary expenses incurred in the performance of official duties in accordance with the state comprehensive travel regulations as promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(f) The council shall adopt and implement a conflict of interest policy for its members. The policy shall mandate annual written disclosures of financial interests, other possible conflicts of interest, and an acknowledgement by council members that they have read and understand all aspects of the policy. The policy shall also require persons who are to be appointed to the council to acknowledge, as a condition of appointment, that they are not in conflict with the conditions of the policy.

68-204-106. (a) To facilitate the work of the council and for administrative purposes, the chair of the council, with the consent and approval of the members, shall organize the work of the council to carry out the requirements of this chapter and to ensure the efficient operation of the council.

(b) The council shall:

(1) Adopt its own rules of procedure;

(2) Meet quarterly, with members to be physically present at a minimum of two (2) quarterly meetings each calendar year. Members may also participate by teleconference call, provided that all other requirements of this subdivision (b)(2) are met. Emergency meetings may be called by the chair or upon petition by a majority of the council, with written notice being given to all members; and

(3) Make nonsubstantive policy relating to the administrative operation of the council.

68-204-107. (a) The council may request information from any state officer, office, department, commission, board, bureau, institution, or other agency of the state and its political subdivisions that is deemed necessary to carry out the requirements of this chapter. All officers and agencies shall cooperate with the council and, to the extent permitted by law, furnish any information to the council that it may request.

(b) To assure the adequate development of relevant energy information, the council may request energy producers and major energy consumers, as determined by the council, to file any reports and forecasts; however, the council may request only specific energy-related information that it deems necessary to carry out its duties.

(c) The council is authorized to apply for and utilize grants, contributions, appropriations, and any other sources of revenue which shall be deposited in the energy policy development resources fund created under § 68-204-109, in order to carry out its duties; however, all applications and requests for grants and other revenues shall be made through and administered by the office of the comptroller of the treasury.

(d) The council may request the office of the comptroller of the treasury to allocate and dispense any funds made available to the council for energy research and related work efforts in such a manner as the council determines; provided, that the funds shall be used in furtherance of the purposes of this chapter.

(e) The council shall be attached to the office of the comptroller of the treasury for administrative matters relating to budgeting, audit, and other related items only. The autonomy and authority of the council are not affected by such attachment, and the office of the comptroller of the treasury shall have no administrative or supervisory control over the council.

(f) All administrative costs of the council, including, but not limited to, the cost of the annual reports required pursuant to § 68-204-108, shall be payable out of any funds allocated to and received by the council.

68-204-108. (a) The council shall compile, compose, and publish, and transmit to the governor, the speaker of the senate, and the speaker of the house of representatives, two (2) annual comprehensive reports as follows:

(1) An annual assessment of the state's energy sector as prescribed in § 68-204-103(b)(1), to be facilitated by the Howard H. Baker, Jr. Center for Public Policy at the University of Tennessee; and

(2) A report to create a comprehensive state energy policy plan as prescribed in § 68-204-103(b)(2).

(b) The annual assessment of the state's energy sector, as prescribed in subdivision (a)(1), shall include, but not be limited to, the following:

(1) The statewide projected growth and development as it relates to future requirements for energy, including patterns of urban and metropolitan expansion, shifts in transportation modes, modifications in building types and design, and other trends and factors which, as determined by the council, will significantly affect energy needs; and

(2) An assessment of growth trends in energy consumption and production, and an identification of potential adverse social, economic, or environmental impacts which may be imposed by a continuation of the present trends, including a rise in energy costs to consumers, significant increases in air, water, and other forms of pollution, threats to public health and safety, and a loss of scenic and natural areas.

(c) The comprehensive state energy policy plan, as prescribed in subdivision (a)(2) shall include, but not be limited to, the following:

(1) Recommendations to the governor and the general assembly for additional administrative and legislative actions on energy matters in the context of the current energy sector in this state; and

(2) A summary of the council's activities since the last filing of the energy policy plan, a description of major plans developed by the council, an assessment of plan implementation, and a review of council plans and programs for the coming biennium.

68-204-109. (a) There is created a special account in the state treasury to be administered by the office of the comptroller of the treasury and to be known as the energy policy development resources fund, referred to in this section as the "energy resources fund."

(b) The comptroller may disburse moneys in the energy resources fund to the council for the following purposes:

(1) Developing the comprehensive state energy policy plan, as prescribed in § 68-204-103;

(2) In furtherance of the purposes of this chapter; and

(3) To offset the cost of administering this chapter.

(c) A grant from the energy resources fund shall be disbursed in an annual amount of fifty thousand dollars (\$50,000). It is the legislative intent that the annual amount be appropriated each fiscal year in the general appropriations act for awarding a grant.

68-204-110. (a) Nothing in this chapter amends or repeals in any manner the Energy Efficient Schools Initiative (EESI) of 2008, compiled in title 49, chapter 17, or other provisions of law relating to the energy efficient schools council and its powers, duties, and functions.

(b) Nothing in this chapter applies to the powers, duties, and functions undertaken pursuant to the authority of the Energy Efficient Schools Initiative (EESI) of 2008, compiled in title 49, chapter 17.

SECTION 3. For the purpose of appointing members of the council, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting 68-204-104(a)(4) from Section 2 and substituting the following:

(4) The speaker of the senate shall appoint:

(A) One (1) residential energy user;

(B) One (1) representative of environmental groups;

(C) One (1) representative of the industries that provide natural gas to consumers in this state; and

(D) One (1) representative who is knowledgeable of and has expertise in energy efficiency and energy conservation as it relates to the built environment, who may be selected from lists of qualified persons submitted by interested parties from the engineering and architectural professions in this state. The speaker shall consult with the professions described in this subdivision (a)(4)(D) to determine qualified persons to fill the position on the council;

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 438**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 1257 -- Municipal Government -- As introduced, authorizes cities incorporated under the general law city manager commission charter to charge fire fees for the construction and maintenance of municipal fire departments. Amends TCA Title 6, Chapter 19.

Senator Overbey declared Rule 13 on **Senate Bill No. 1257**.

On motion, Senate Bill No. 1257 was made to conform with **House Bill No. 488**.

On motion, House Bill No. 488, on same subject, was substituted for Senate Bill No. 1257.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 488** passed its third and final consideration by the following vote:

Ayes	29
Noes	1
Present, not voting . . .	1

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

Senator voting no was: Kyle--1.

Senator present and not voting was: Harris--1.

A motion to reconsider was tabled.

Senate Bill No. 1260 -- Sentencing -- As introduced, establishes a sentencing enhancement factor for defendants who are aliens illegally or unlawfully in the United States and who have previously been deported for committing a criminal offense. Amends TCA Title 40.

On motion, Senate Bill No. 1260 was made to conform with **House Bill No. 1041**.

On motion, House Bill No. 1041, on same subject, was substituted for Senate Bill No. 1260.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-114, is amended by adding the following as a new subdivision:

At the time the instant offense was committed, the defendant was illegally or unlawfully in the United States;

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Bailey moved for the previous question on **House Bill No. 1041**, as amended, which motion prevailed.

TUESDAY, MAY 9, 2017 -- 36TH LEGISLATIVE DAY

Thereupon, **House Bill No. 1041**, as amended, passed its third and final consideration by the following vote:

Ayes 28
Noes 3

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Tate, Tracy, Watson, Yager and Mr. Speaker McNally--28.

Senators voting no were: Harris, Kyle and Yarbrow--3.

A motion to reconsider was tabled.

Senate Bill No. 1309 -- Medical Occupations -- As introduced, establishes a special mechanism for licensure actions for healthcare practitioners involved with substance abuse. Amends TCA Title 50, Chapter 9; Title 63 and Title 68.

On motion, Senate Bill No. 1309 was made to conform with **House Bill No. 1067**.

On motion, House Bill No. 1067, on same subject, was substituted for Senate Bill No. 1309.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 1067** passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harris, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1352 -- Motor Vehicles -- As introduced, revises provisions governing permits for movements of overweight and overdimensional vehicles. Amends TCA Title 55, Chapter 50; Section 55-7-203 and Section 55-7-205.

Senator Norris declared Rule 13 on **Senate Bill No. 1352**.

On motion, Senate Bill No. 1352 was made to conform with **House Bill No. 812**.

On motion, House Bill No. 812, on same subject, was substituted for Senate Bill No. 1352.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 812** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1041 -- Controlled Substances -- As introduced, requires the department of health to identify the prescribers who are in the top 20 percent prescribers of opioids in this state; requires the identified prescriber to comply with certain requirements after being notified that such provider is a high volume opioid prescriber. Amends TCA Title 4; Title 29; Title 33; Title 38; Title 39; Title 40; Title 41; Title 49; Title 53; Title 56; Title 63; Title 68 and Title 71.

Senator Norris declared Rule 13 on **Senate Bill No. 1041**.

Senator Dickerson declared Rule 13 on **Senate Bill No. 1041**.

On motion, Senate Bill No. 1041 was made to conform with **House Bill No. 1207**.

On motion, House Bill No. 1207, on same subject, was substituted for Senate Bill No. 1041.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-1-128, is amended by adding the following new subsection (c) and redesignating existing subsections accordingly:

(c)(1) In addition to identifying prescribers pursuant to subsections (a) and (b), beginning July 1, 2017, and annually thereafter, the department shall identify high-risk prescribers based on clinical outcomes, including patient overdoses. The determination of which providers are high-risk prescribers, including the criteria to make such determination, shall be made by the department. Providers determined to be high-risk prescribers pursuant to this subdivision (c)(1) shall be subject to selected chart review and investigation by the department.

(2) If a prescriber is identified as a high-risk prescriber pursuant to subdivision (c)(1), the department shall submit the high-risk prescriber's information to the board that issued the prescriber's license for appropriate action.

(3) Upon receiving information pursuant to subdivision (c)(2), the licensing board shall notify the prescriber and, if applicable, the prescriber's supervising physician, of the prescriber's identification as a high-risk prescriber and, as applicable, require the prescriber to:

(A) Participate in continuing education that is designed to inform providers about the risks, complications, and consequences of opioid addiction. The specific continuing education courses and number of hours to be completed by the prescriber shall be determined by the licensing board;

(B) Make available, in the prescriber's waiting room and clinic areas where the prescriber's patient can view, educational literature that warns persons of risks, complications, and consequences of opioid addiction. The specific literature to be made available pursuant to this subdivision (c)(2)(B) shall be determined by the department and made available on the department's website;

(C) Obtain written consent on a form that explains the risks of, complications of, medical and physical alternatives to, and consequences of opioid therapy and addiction to any patient who will receive opioid therapy for more than three (3) weeks with daily dosages of sixty (60) morphine milligram equivalents (MME) or higher. The consent shall include a certification from the patient that the patient understands the information. In order to continue to treat the patient, the provider must assure that the consent is signed by the patient and made part of the patient's health record; and

(D) Renew the consent described in subdivision (c)(3)(C) at four-week intervals for patients who continue to receive opioid therapy. In order to continue to treat the patient, the provider must assure that the consent is signed by the patient and made part of the patient's health record.

(4) An identified high-risk prescriber must comply with the requirements set out in subdivision (c)(3) for a period of one (1) year from the time the provider was notified of the provider's identification as a high-risk prescriber of opioids. Failure of a prescriber to comply with the requirements set out in subdivision (c)(3) shall be treated as an act constituting unprofessional conduct for which disciplinary action may be instituted under the authority of the board that issued the prescriber's license.

(5) All costs associated with this subsection (c) shall be paid by the identified provider.

(6) If the provider disputes the identification of the provider as a high-risk prescriber of opioids, the provider may request the department conduct an internal review of the identification, which shall be done by the commissioner or the commissioner's designee. Any such internal review is not subject to the provisions of title 4, chapter 5, part 3.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Title 68, Chapter 1, Part 8, is amended by adding the following as a new section:

On or before January 15, 2018, the commissioner of health, in consultation with the perinatal advisory committee and with the assistance of relevant state agencies, shall report to the health committee of the house of representatives and the health and welfare committee of the senate concerning the following aspects of births involving neonatal abstinence syndrome and opioid abuse by women of childbearing age for the last two (2) available fiscal years or calendar years, as may be available:

(1) From data available to the bureau of TennCare, the number of births involving neonatal abstinence syndrome to enrollees in the TennCare program, the lengths of stay in a hospital for infants born with neonatal abstinence syndrome to enrollees in the TennCare program, and the costs to the program of those births;

(2) From information available to managed care organizations participating in the TennCare program, a description of any initiatives by the managed care organizations to address health outcomes, costs, and other issues raised by births involving neonatal abstinence syndrome and opioid abuse by women of childbearing age;

(3) From data available to the department of health, and district and county health departments, the number of women with a substance abuse diagnosis involving opioid abuse who received family planning services and the number of those women who received long acting reversible contraceptives;

(4) From data available to the department of children's services, the number of cases involving investigations that included an infant born with neonatal abstinence syndrome, the number of such infants in custody of the department, and the number of visits made by the department to families with an infant born with neonatal abstinence syndrome; and

(5) From data available to the bureau of TennCare and the controlled substance database committee, the number of cases in which the source of opiates in the mother of an infant born with neonatal abstinence syndrome can be reasonably associated with an identifiable prescriber.

On motion, Amendment No. 2 was adopted.

Senator Haile moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting the language "opioid abuse" wherever it appears in the amendatory language of Section 2 of the bill as amended and substituting instead the language "opioid use".

AND FURTHER AMEND by deleting subdivision (5) in the amendatory language of Section 2 of the bill as amended and substituting instead the following:

(5) From data available to the bureau of TennCare and the department of health, the number of cases in which the source of opiates in the mother of an infant born with neonatal abstinence syndrome can be reasonably associated with a substance prescribed to the mother.

On motion, Amendment No. 3 was adopted.

On motion of Senator Haile, Amendment No. 4 was withdrawn.

Thereupon, **House Bill No. 1207**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

SPEAKER RESUMES CHAIR

Mr. Speaker McNally resumed the Chair.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 151 -- Motor Vehicles -- As introduced, authorizes the operation of autonomous vehicles on the public roads of this state. Amends TCA Title 5; Title 6; Title 7; Title 39; Title 40; Title 54; Title 55; Title 56; Title 65 and Title 67.

HOUSE AMENDMENT NO. 4

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-108, is amended by designating subsection (c) as subsection (d) and adding the following new subsection (c):

For purposes of an ADS-operated vehicle, as defined by § 55-54-102, the requirements of subsection (a) are satisfied if the certificate of registration is at all times carried in or available electronically through, the vehicle to which it refers.

SECTION 2. Tennessee Code Annotated, Section 55-8-101, is amended by deleting subdivisions (17), (42), and (46), and substituting instead the following:

(17) "Driver" means:

(A) For purposes of a conventionally operated vehicle, every person who drives or is in actual physical control of a vehicle; and

(B) For purposes of an ADS-operated vehicle and when the context requires, the ADS when the ADS is engaged;

(42) "Operator" means:

(A) For purposes of a conventionally operated vehicle, every person, other than a chauffeur, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle; and

(B) For purposes of an ADS-operated vehicle and when the context requires, the ADS when the ADS is engaged;

(46) "Person" means a natural person, firm, copartnership, association, corporation, or an engaged ADS;

SECTION 3. Tennessee Code Annotated, Section 55-8-101, is amended by adding the following new appropriately designated subdivisions:

() "Automated driving system" or "ADS" means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed in high or full automation mode, without any supervision by a human operator, with specific driving mode performance by the automated driving system of all aspects of the dynamic driving task that can be managed by a human driver, including the ability to automatically bring the motor vehicle into a minimal risk condition in the event of a critical vehicle or system failure or other emergency event;

() "Automated-driving-system-operated vehicle" or "ADS-operated vehicle" means a vehicle equipped with an automated driving system;

() "Dynamic driving task" means all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic. "Dynamic driving task" does not include strategic functions, such as route selection and scheduling;

() "Minimal risk condition" means a low-risk operating mode in which an ADS-operated vehicle when the ADS is engaged achieves a reasonably safe state upon experiencing a failure of the vehicle's ADS that renders the vehicle unable to perform the entire dynamic driving task;

SECTION 4. Tennessee Code Annotated, Section 55-8-162, is amended by adding the following new subsection:

Subsection (a) shall not apply with respect to an ADS-operated vehicle.

SECTION 5. Tennessee Code Annotated, Section 55-9-101, is amended by deleting the section and substituting instead the following:

As used in this chapter:

(1) "Autocycle," "motor vehicle," "motorcycle," "motor-driven cycle," and "motorized bicycle" have the meanings ascribed to them in § 55-8-101; and

(2) "Automated driving system," "ADS," and "ADS-operated vehicle" have the meanings ascribed to them in § 55-54-102.

SECTION 6. Tennessee Code Annotated, Section 55-9-602(a), is amended by adding the following new subdivision:

With respect to a vehicle equipped with an ADS, responsibility ascribed in this subsection (a) shall belong solely to the parent, guardian, or other human person accompanying the child in the vehicle, and not to the ADS or the owner of the ADS-operated vehicle.

SECTION 7. Tennessee Code Annotated, Section 55-9-602(g)(5), is amended by deleting the last sentence, designating the remaining language as subdivision (A), and adding the following new subdivision (B):

(B)(i) If no parent or legal guardian is present at the time of the violation, the driver is solely responsible for compliance with this subsection (g) if the vehicle is operated by conventional means.

(ii) If the vehicle is operated by an ADS and:

(a) If no parent or legal guardian is present at the time of the violation, the human person accompanying the child is solely responsible for compliance with this subsection (g);

(b) If no parent or guardian is present at the time of the violation and more than one (1) human person accompanies the child, each person is jointly responsible for compliance with this subsection (g); or

(c) If no human person accompanies the child, the parent or legal guardian of the child is responsible for compliance with this subsection (g).

SECTION 8. Tennessee Code Annotated, Section 55-9-603(h), is amended by adding the following new subdivision:

An ADS or an ADS-operated vehicle. Except as otherwise provided by § 55-9-606(2), for purposes of an ADS-operated vehicle, a passenger or human operator required to be restrained by a safety belt pursuant to this section is solely responsible for the passenger's or human operator's compliance with such requirement;

SECTION 9. Tennessee Code Annotated, Section 55-9-606, is amended by deleting the section and substituting instead the following:

Notwithstanding this part to the contrary:

(1) Except as otherwise provided in subdivision (2), the operator of a passenger motor vehicle under this part shall not be fined for the failure of any passenger over sixteen (16) years of age to wear a safety belt; and

(2) For purposes of an ADS-operated vehicle and when the ADS is engaged, neither the operator nor the owner shall be fined for the failure of any passenger, regardless of age, to wear a safety belt.

SECTION 10. Tennessee Code Annotated, Sections 55-10-101, 55-10-102, 55-10-103, 55-10-104, and 55-10-106, are all amended by adding the following new, appropriately designated subsection to each section:

With respect to an ADS-operated vehicle, as defined by § 55-54-102, the requirements of subsection (a) are satisfied if the motor vehicle's owner, or a person on behalf of the motor vehicle's owner, promptly contacts a law enforcement officer or agency to report the accident and the ADS-operated vehicle remains on the scene of the accident as otherwise required by law.

SECTION 11. Tennessee Code Annotated, Section 55-10-105, is amended by designating the existing language as subsection (a) and adding the following new subsection:

With respect to an ADS-operated vehicle, as defined by § 55-54-102, the requirements of subsection (a) are satisfied if the motor vehicle's owner, or a person on behalf of the motor vehicle's owner, promptly contacts a law enforcement officer or agency to report the accident and the ADS-operated vehicle remains on the scene of the accident as otherwise required by law.

SECTION 12. Tennessee Code Annotated, Section 55-10-107, is amended by adding the following new subsection:

With respect to an ADS-operated vehicle, as defined by § 55-54-102, the written reports required under subsection (a) must be completed by the vehicle's owner.

SECTION 13. Tennessee Code Annotated, Section 55-12-102(10), is amended by deleting the subdivision and substituting instead the following:

(10) "Operator" means:

(A) For purposes of a conventionally operated vehicle, every person who is in actual physical control of a motor vehicle whether or not licensed as an operator or chauffeur under the laws of this state; and

(B) For purposes of an ADS-operated vehicle, as defined by § 55-54-102, and when the ADS is engaged, the ADS;

SECTION 14. Tennessee Code Annotated, Section 55-12-104, is amended by adding the following new subsection:

The owner of an ADS-operated vehicle, as defined by § 55-54-102, is solely responsible for compliance with the requirements for filing the accident report under subsection (a).

SECTION 15. Tennessee Code Annotated, Section 55-50-304, is amended by adding the following new subdivision:

An ADS or an ADS-operated vehicle, as defined by § 55-54-102, or a person operating an ADS-operated vehicle with the ADS engaged;

SECTION 16. Tennessee Code Annotated, Title 55, is amended by adding the following new chapter:

55-54-101.

This chapter shall be known and may be cited as the "Automated Vehicles Act."

55-54-102.

As used in this chapter:

(1) "Automated driving system" or "ADS" means technology installed on a motor vehicle that has the capability to drive the vehicle on which the technology is installed in high or full automation mode, without any supervision by a human operator, with specific driving mode performance by the automated driving system of all aspects of the dynamic driving task that can be managed by a human driver, including the ability to automatically bring the motor vehicle into a minimal risk condition in the event of a critical vehicle or system failure or other emergency event;

(2) "Automated-driving-system-operated vehicle" or "ADS-operated vehicle" means a vehicle equipped with an automated driving system;

(3) "Department" means the department of revenue;

(4) "Dynamic driving task" means all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic. "Dynamic driving task" does not include strategic functions, such as route selection and scheduling; and

(5) "Minimal risk condition" means a low-risk operating mode in which an ADS-operated vehicle when the ADS is engaged achieves a reasonably safe state upon experiencing a failure of the vehicle's ADS that renders the vehicle unable to perform the entire dynamic driving task.

55-54-103.

An ADS-operated vehicle may drive or operate on streets and highways in this state with the ADS engaged without a human driver physically present in the vehicle if the vehicle meets the following conditions:

(1) Unless an exemption has been granted under applicable federal or state law, the vehicle is capable of being operated in compliance with applicable provisions of chapters 8, 9, and 10 of this title, and has been, at the time it was manufactured, certified by the manufacturer as being in compliance with applicable federal motor vehicle safety standards;

(2) The vehicle is capable, in the event of a failure of the automated driving system that renders that system unable to perform the entire dynamic driving task relevant to its intended operational design domain, of achieving a minimal risk condition;

(3) Is registered in accordance with chapter 4 of this title, and if registered in this state, the vehicle is identified on the registration as an ADS-operated vehicle; and

(4)(A)(i) The vehicle is covered by primary automobile liability insurance in at least five million dollars (\$5,000,000) per incident for death, bodily injury, and property damage, and the automobile liability insurance satisfies the requirements of § 56-7-1201;

(ii) Insurance required by subdivision (4)(A)(i) may be:

(a) Placed with an insurer authorized to do business in this state under title 56 or with a surplus lines insurer eligible under title 56, chapter 14;

(b) Covered by a surety bond executed and filed with the commissioner of safety; or

(c) Satisfied in accordance with § 55-12-111;

(iii) Insurance satisfying the requirements of this subdivision (4)(A) shall be deemed to satisfy the financial responsibility requirements for a motor vehicle under chapter 12 of this title;

(B) This subdivision (4) is deleted on July 1, 2021;

(C) No later than February 1, 2020, the commissioners of safety and commerce and insurance shall submit a joint report to the transportation and safety committee of the senate and the transportation committee of the house of representatives, which report shall make recommendations, including the appropriate rationale and any proposed legislation, on whether the insurance and bonding coverages and coverage amount requirements of this subdivision (4)(A) should be increased, decreased, extended, or otherwise amended.

55-54-104.

Notwithstanding § 55-9-105, a person who is physically inside an ADS-operated vehicle, when the ADS is engaged, may use an integrated electronic display for communication, information, and other uses enabled by the display if the display is integrated with the vehicle such that it operates and functions in coordination with such autonomous technology and disables automatically any moving images visible to the motor vehicle operator when the autonomous technology is disengaged.

55-54-105.

No political subdivision may by ordinance, resolution, or any other means prohibit or regulate within the jurisdictional boundaries of the political subdivision the use of:

(1) An ADS-operated vehicle that is operating in compliance with this chapter and otherwise complies with all laws of the political subdivision; or

(2) A motor vehicle operated at any level of autonomous technology, as defined by § 55-9-105(c)(6)(B), not otherwise included in this chapter.

55-54-106. (a) Liability for accidents involving an ADS-operated vehicle shall be determined in accordance with product liability law, common law, or other applicable federal or state law. Nothing in this chapter shall be construed to affect, alter, or amend any right, obligation, or liability under applicable product liability law, common law, federal law, or state law.

(b) When the ADS is fully engaged, operated reasonably and in compliance with manufacturer instructions and warnings, the ADS shall be considered the driver or operator of the motor vehicle for purposes of determining:

(1) Liability of the vehicle owner or lessee for alleged personal injury, death, or property damage in an incident involving the ADS-operated vehicle; and

(2) Liability for non-conformance to applicable traffic or motor vehicle laws.

55-54-107. (a) It is an offense for any person to knowingly operate a motor vehicle on the public roads or highways of this state without a human driver in the driver's seat of the vehicle unless satisfying the requirements of this chapter.

(b) A violation of subsection (a) is a Class A misdemeanor.

55-54-108.

Except as otherwise provided in this chapter, this chapter exclusively governs the authorization of the operation and use of an ADS-operated vehicle when the ADS is engaged and in high or full automation mode, including, but not limited to, commercial use of ADS-operated vehicles. For motor vehicles operated at any other level of autonomous technology, as defined by § 55-9-105(c)(6)(B), the motor vehicle and driver shall be held to the same laws as conventionally operated motor vehicles, including the financial responsibility requirements of § 55-12-102, unless an exemption is specifically set out for a vehicle operated with any level of autonomy.

SECTION 17. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Lundberg moved that the Senate concur in House Amendment No. 4 to **Senate Bill No. 151**, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 318 -- Highways, Roads and Bridges -- As introduced, increases from 10 to 30 days, the time in which a recipient of a second notice from the department of transportation has to confirm being the owner of utility facilities and to describe the type of utility service, and description and location of each facility; increases from 10 to 30 days, the time in which the owner of utility facilities has to file a reservation of rights notice to the department following the issuance of a notice to proceed by the department. Amends TCA Title 54.

HOUSE AMENDMENT NO. 3

AMEND by inserting the following new section immediately preceding the penultimate section and renumbering the subsequent sections accordingly:

SECTION ____.(a) Notwithstanding any law to the contrary, the bridge (Bridge No. 92SR0890027) on State Route 89, which is located near log mile 29.09 north of the community of Palmersville in Weakley County, Tennessee, is hereby designated as the "A. Buran Austin Memorial Bridge" to honor the memory of this beloved resident of Palmersville who bravely served his country in the United States Army during World War II.

(b) The department of transportation is directed to erect suitable signs or affix suitable markers designating the bridge described in subsection (a) as the "A. Buran Austin Memorial Bridge".

(c) The erection of the signs shall be within the guidelines prescribed by the Manual on Uniform Traffic Control Devices and within the state supplemental guidelines, as applicable.

(d) This section shall become operative only if the cost of the manufacture and installation of the signs is paid to the department of transportation from nonstate funds within one (1) year of the effective date of this act. The payment shall be made prior to any expenditure by the state for the manufacture or installation of the signs. The department shall return any unused portion of the estimated cost to the person or entity paying for the signs within thirty (30) days of the erection of the signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in the costs shall be remitted to the department in nonstate funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department.

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Senator Bailey moved that the Senate concur in House Amendment No. 3 to **Senate Bill No. 318**, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 700 -- Highways, Roads and Bridges -- As introduced, makes permanent the provision allowing counties to provide 2 percent matching funds for state-aid highway funds rather than 25 percent that was set to expire July 1, 2017. Amends TCA Section 54-4-404.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 54-4-404(d)(1), is amended by deleting the language "during fiscal years 2015-2016 or 2016-2017" and substituting instead "during fiscal years 2015-2016, 2016-2017, 2017-2018, or 2018-2019".

SECTION 2. Tennessee Code Annotated, Section 54-4-404(d)(2), is amended by deleting the language "July 1, 2017" and substituting instead "July 1, 2019".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Yager moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 700**, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 752/SENATE BILL NO. 983**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 752 (Senate Bill No. 983) has met and recommends that the following amendments be deleted: Senate Amendment #1 (drafting code 4700).

The Committee further recommends that the following amendment be adopted:

AMEND by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 3, Part 6, is amended by adding the following new section:

36-3-626. (a) A person who petitions the court and is granted an order of protection, ex parte or otherwise, pursuant to this part is authorized to, for twenty-one (21) calendar days after that order of protection is granted, carry any handgun, as defined in § 39-17-1319, that the person legally owns or possesses so long as the person has in the person's possession at all times while carrying the handgun a copy of the order of protection.

(b) A person who does not apply for a temporary handgun carry permit under § 39-17-1365 within the time period set forth in § 39-17-1365(a) shall not be authorized to carry a handgun under subsection (a) once that time period has expired.

(c) A person who has applied for a temporary handgun carry permit under § 39-17-1365 may continue to carry a handgun after the time period in this subsection (a) has expired while that application is pending, so long as the person has in the person's possession at all times while carrying the handgun both a copy of the temporary handgun carry permit application receipt as provided by the department and a copy of the order of protection.

SECTION 2. Tennessee Code Annotated, Section 39-17-1308(a), is amended by adding the following as a new subdivision:

() By a person authorized to carry a handgun pursuant to § 36-3-626 or § 39-17-1365;

SECTION 3. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following new section:

39-17-1365. (a) A person who petitions the court and is granted an order of protection, ex parte or otherwise, pursuant to title 36, chapter 3, part 6, may apply for a temporary handgun carry permit from the department of safety within twenty-one (21) calendar days after that order of protection is granted.

(b) To be eligible to receive a temporary handgun carry permit, the person must:

(1) Apply in person to the department of safety on a temporary handgun carry permit application developed by the department;

(2) Include a certified copy of the order of protection with the application;

(3) Provide proof of the person's identity and Tennessee residency by presenting:

(A) A driver license or photo identification issued by the state of Tennessee; or

(B) Other proof satisfactory to the department showing the person's identity and residency; and

(4) Meet the qualifications for the issuance of a handgun carry permit under § 39-17-1351(c).

(c) The department of safety shall conduct a name-based criminal history check in the same manner as set forth in § 39-17-1351(n)(3) upon receiving an application for a temporary handgun carry permit under this section.

(d) If an applicant meets all the requirements of this section, the department of safety shall issue a temporary handgun carry permit to the applicant that shall be valid for sixty (60) calendar days from the date of issuance.

(e) A person issued a temporary handgun carry permit under this section shall carry that permit and a copy of the protective order at all times when carrying a handgun pursuant to this section.

(f) A temporary handgun carry permit issued under this section shall only be valid in Tennessee and shall not be considered as satisfying the requirements of reciprocity with any other state firearm carry provisions.

(g) A temporary handgun carry permit issued under this section may be issued as a letter to the applicant and may be issued without the applicant's photograph.

(h) The issuance of a temporary handgun carry permit under this section does not relieve a person from complying with all requirements of § 39-17-1351 in order to be issued a handgun carry permit pursuant to that section.

(i) A temporary handgun carry permit issued under this section is subject to the provisions of §§ 39-17-1352 - 39-17-1359.

SECTION 4. For the purpose of initiating the process of implementing the requirements of this act, including any programming changes, this act shall take effect upon becoming a law, the public welfare requiring it. For the purpose of implementing the requirements of this act, this act shall take effect thirty (30) days after the date upon which the commissioner of safety provides written notification to the secretary of state and the executive secretary of the Tennessee code commission that the department of safety's "A-list" driver license program is capable of implementing the new requirements of this act or on January 1, 2018, whichever is earlier, the public welfare requiring it. The commissioner shall

cause such notification to be published on the website of the department contemporaneously with delivery to the secretary of state and executive secretary of the Tennessee code commission.

/s/ Senator Dolores Gresham
/s/ Senator Janice Bowling
/s/ Senator John Stevens

/s/ Representative Tilman Goins
/s/ Representative Mike Carter
/s/ Representative G.A. Hardaway

Senator Gresham moved that the Conference Committee Report on **House Bill No. 752/Senate Bill No. 983** be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1288 -- Wine & Wineries -- As introduced, requires importers of wine to file monthly reports with the department of revenue containing certain shipment information; provides for the availability and preservation of reports and related records; subjects such importers to sanctions for failure to comply with reporting requirements. Amends TCA Section 57-3-217.

Senator Yager moved to lift from the table a motion to reconsider on **House Bill No. 1288**, as amended, which motion prevailed.

Senator Yager moved that the Senate reconsider its action in passing **House Bill No. 1288**, as amended, which motion prevailed.

Senator Yager moved that the Senate reconsider its action in adopting Senate Amendment No. 1 to **House Bill No. 1288**, as amended, which motion prevailed.

Senator Yager moved that **House Bill No. 1288**, as amended, be placed on the Message Calendar for Wednesday, May 10, 2017, which motion prevailed.

MOTION

Senator Norris moved that Rule 19 be suspended for the purpose of considering Consent Calendar No. 2 next, which motion prevailed.

MOTION

Senator Massey moved that Rule 19, Rule 32, Rule 33 and Rule 38 be suspended for the purpose of making and considering Consent Calendar No. 2 consisting of the following resolutions: **Senate Joint Resolutions Nos. 448, 450, 451, 452, 453, 455, 456, 457, 458, 459, 460, 461 and**

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462; Senate Resolutions Nos. 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133 and 134; and House Joint Resolutions Nos. 559, 560, 561 and 562, which motion prevailed.

CONSENT CALENDAR NO. 2

Senate Joint Resolution No. 448 -- Memorials, Recognition -- Mt. Moriah Lodge #18, 200th Anniversary.

Senate Joint Resolution No. 450 -- Memorials, Sports -- Scott Wietecha, 2017 St. Jude Rock 'n' Roll Nashville Marathon.

Senate Joint Resolution No. 451 -- Memorials, Death -- Halbert Floyd Dennis.

Senate Joint Resolution No. 452 -- Memorials, Recognition -- Johnson County Middle School Robotics Team 3075B.

Senate Joint Resolution No. 453 -- Memorials, Recognition -- Oakland High School, Excellence in Action Award.

Senate Joint Resolution No. 455 -- Memorials, Recognition -- Watauga Avenue Presbyterian Church, 125th Anniversary.

Senate Joint Resolution No. 456 -- Memorials, Retirement -- Dawn Eaton.

Senate Joint Resolution No. 457 -- Memorials, Recognition -- Trevecca Community Church of the Nazarene, Seventy-Fifth Anniversary.

Senate Joint Resolution No. 458 -- Memorials, Congratulations -- Congressman David Phillip "Phil" Roe and Clarinda Jeanes, wedding.

Senate Joint Resolution No. 459 -- Memorials, Recognition -- University High School.

Senate Joint Resolution No. 460 -- Memorials, Recognition -- Aaron Spradlin.

Senate Joint Resolution No. 461 -- Memorials, Recognition -- John Ziegler.

Senate Joint Resolution No. 462 -- Memorials, Interns -- Ryan Baird.

Senate Resolution No. 119 -- Memorials, Academic Achievement -- Katherine Carter, Valedictorian, Greenbrier High School.

Senate Resolution No. 120 -- Memorials, Academic Achievement -- Ravi Patel, Salutatorian, Greenbrier High School.

Senate Resolution No. 121 -- Memorials, Academic Achievement -- Baylee Ashlyn Nester, Valedictorian, Coffee County Central High School.

Senate Resolution No. 122 -- Memorials, Academic Achievement -- Morgan Dionna Aker, Salutatorian, South Pittsburg High School.

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Senate Resolution No. 123 -- Memorials, Academic Achievement -- Ronni Mae-Kayla Coffelt, Valedictorian, South Pittsburg High School.

Senate Resolution No. 124 -- Memorials, Academic Achievement -- Karissa Northcutt, Salutatorian, Grundy County High School.

Senate Resolution No. 125 -- Memorials, Academic Achievement -- Alina Jade Fahn, Valedictorian, Grundy County High School.

Senate Resolution No. 126 -- Memorials, Academic Achievement -- Olivia Madewell, Salutatorian, Franklin County High School.

Senate Resolution No. 127 -- Memorials, Academic Achievement -- Jacob Dial, Salutatorian, Franklin County High School.

Senate Resolution No. 128 -- Memorials, Academic Achievement -- Drake Shull, Valedictorian, Franklin County High School.

Senate Resolution No. 129 -- Memorials, Academic Achievement -- Kaylee Paige Skipper, Salutatorian, Coffee County Central High School.

Senate Resolution No. 130 -- Memorials, Recognition -- Upper East Tennessee Celtic Society, 25th Anniversary.

Senate Resolution No. 131 -- Memorials, Recognition -- Jeff Stinson, 2017 Tennessee Truck Driving Champion.

Senate Resolution No. 132 -- Memorials, Recognition -- Dailey & Vincent.

Senate Resolution No. 133 -- Memorials, Public Service -- Dr. Elma Hubbard Mardis, Memphis Housing Authority.

Senate Resolution No. 134 -- Memorials, Personal Occasion -- William Clark Bohannon, 95th Birthday.

House Joint Resolution No. 559 -- Memorials, Recognition -- Discovery Center, 30th Anniversary.

House Joint Resolution No. 560 -- Memorials, Recognition -- Morristown First Presbyterian Church, 150th Anniversary.

House Joint Resolution No. 561 -- Memorials, Professional Achievement -- Jack Lowery, President of Tennessee Road Builders Association.

House Joint Resolution No. 562 -- Memorials, Recognition -- Plaza Mariachi Music City, Grand Opening.

Senator Massey moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

MOTION

Senator Watson moved that Rule 83 be suspended for the purpose of allowing the Committee on Finance, Ways and Means to meet Wednesday, May 10, 2017, at 9:00 a.m. to consider **Senate Bills Nos. 248 and 1363**, which motion prevailed.

NOTICES

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 192/SENATE BILL NO. 136**

The report was received and filed with the Clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 671/SENATE BILL NO. 925**

The report was received and filed with the Clerk.

**MESSAGE FROM THE HOUSE
May 9, 2017**

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 192. The House adopted the Conference Committee Report and made it the action of the House.

TAMMY LETZLER,
Chief Clerk

**MESSAGE FROM THE HOUSE
May 9, 2017**

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 711. The House nonconcurred in Senate Amendment No. 2.

TAMMY LETZLER,
Chief Clerk

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MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 120, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 298, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 644, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 703, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1016, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1340, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 671. The Speaker appointed a new Conference Committee composed of Representatives Carr, Weaver and Miller to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 671

TAMMY LETZLER,
Chief Clerk

APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 671

The Speaker Pro Tempore announced the appointment of a Conference Committee composed of Senators Ketron, Chairperson; Beavers and Tate to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 671.

MOTION

On motion of Senator Jackson, his name was added as sponsor of **Senate Bill No. 24.**

On motion of Senators Bailey, Massey and Yager, their names were added as sponsors of **Senate Bill No. 120.**

On motion of Senator Bailey, his name was added as sponsor of **Senate Bill No. 193; and House Joint Resolutions Nos. 509 and 510.**

On motion of Senators Gardenhire and Ketron, their names were added as sponsors of **Senate Bill No. 564.**

On motion of Senators Tracy and Watson, their names were added as sponsors of **Senate Bill No. 558.**

On motion of Senators Gardenhire and Tate, their names were added as sponsors of **Senate Bill No. 641.**

On motion of Senators Bailey and Yager, their names were added as sponsors of **Senate Bill No. 822.**

On motion of Senator Haile, his name was added as prime sponsor of **Senate Bill No. 864.**

On motion of Senators Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **Senate Bill No. 864.**

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On motion of Senators Bailey and Tracy, their names were added as sponsors of **Senate Bill No. 1041**.

On motion of Senators Bell, Briggs, Haile, Norris, Stevens, Tracy, Watson and Yager, their names were added as sponsors of **Senate Bill No. 1059**.

On motion of Senator Yarbrow, his name was added as sponsor of **Senate Bills Nos. 1109 and 1136; Senate Resolution No. 117; and House Joint Resolution No. 512**.

On motion of Senators Gresham, Harper, Jackson, Kelsey, Massey, Stevens and Tate, their names were added as sponsors of **Senate Bill No. 1218**.

On motion of Senator Overbey, his name was added as sponsor of **Senate Bill No. 1224**.

On motion of Senators Bailey, Gardenhire, Harper, Hensley, Kyle, Massey, Stevens, Tate and Tracy, their names were added as sponsors of **Senate Bill No. 1230**.

On motion of Senators Hensley, Jackson, Stevens, Tate and Tracy, their names were added as sponsors of **Senate Bill No. 1241**.

On motion of Senators Gardenhire, Harper and Tate, their names were added as sponsors of **Senate Bill No. 1245**.

On motion of Senators Bailey, Crowe, Gardenhire and Niceley, their names were added as sponsors of **Senate Bill No. 1260**.

On motion of Senator Harper, her name was added as sponsor of **Senate Bill No. 1279; and House Joint Resolution No. 37**.

On motion of Senators Bailey, Bowling, Massey and Yager, their names were added as sponsors of **Senate Bill No. 1390**.

On motion of Senator Briggs, his name was added as sponsor of **Senate Joint Resolution No. 444; and House Joint Resolutions Nos. 454, 484 and 528**.

On motion of Senators Kelsey and Overbey, their names were added as sponsors of **Senate Joint Resolution No. 458**.

On motion of Senator Roberts, his name was added as sponsor of **House Joint Resolution No. 501**.

On motion of Senators Briggs and Massey, their names were added as sponsors of **House Joint Resolutions Nos. 502, 503, 504, 505, 506, 507 and 508**.

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolutions Nos. 516, 524, 525, 531, 532, 533, 534, 535, 536, 537, 556, 557 and 558**.

On motion of Senator Yager, his name was added as sponsor of **House Joint Resolutions Nos. 518 and 519**.

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On motion of Senators Ketron and Tracy, their names were added as sponsors of **House Joint Resolutions Nos. 520 and 527.**

On motion of Senator Tracy, his name was added as sponsor of **House Joint Resolutions Nos. 523 and 578.**

On motion of Senators Bailey and Beavers, their names were added as sponsors of **House Joint Resolutions Nos. 540 and 557.**

On motion of Senator Southerland, his name was added as sponsor of **House Joint Resolutions Nos. 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553 and 555.**

On motion of Senators Bailey and Stevens, their names were added as sponsors of **House Joint Resolutions Nos. 554 and 567.**

On motion of Senators Beavers, Harper, Tracy and Yarbrow, their names were added as sponsors of **House Joint Resolution No. 561.**

On motion of Senators Harper and Yarbrow, their names were added as sponsors of **House Joint Resolution No. 562.**

On motion of Senator Ketron, his name was added as sponsor of **House Joint Resolutions Nos. 564 and 565.**

ENGROSSED BILLS

May 9, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 120, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

May 9, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 558, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

May 9, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 1059, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

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ENGROSSED BILLS

May 9, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 441, 442, 443, 444 and 446; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

May 9, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 448, 450, 451, 452, 453, 455, 456, 457, 458, 459, 460, 461 and 462; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 22 and 261, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 331, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 333, passed by the House.

TAMMY LETZLER,
Chief Clerk

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MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 362 and 420, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 392, 432, 1020 and 1209; passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 418, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 452, 841 and 1041; passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 466, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 553, passed by the House.

TAMMY LETZLER,
Chief Clerk

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MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 810, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 910, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1067, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1169, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1276, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1306, passed by the House.

TAMMY LETZLER,
Chief Clerk

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MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1367, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1381, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1453 and 1454, passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 37, 559, 560, 561 and 562; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 563, 564, 565, 566 and 567; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 568, 569, 570, 571, 572, 573, 574, 575, 576, 577 and 578; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

TUESDAY, MAY 9, 2017 -- 36TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 579, adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 31, 196, 310, 311, 379, 409, 452, 526, 720, 726, 820, 1415 and 1418; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 34, 414, 438, 683, 763, 1286 and 1360; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 343, 1059, 1170 and 384; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 59, concurred in by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 250, 408, 409, 410, 411, 412, 413, 414, 415, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440 and 454; concurred in by the House.

TAMMY LETZLER,
Chief Clerk

TUESDAY, MAY 9, 2017 -- 36TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 441, 442, 443, 444 and 446; concurred in by the House.

TAMMY LETZLER,
Chief Clerk

ENROLLED BILLS

May 9, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 786, 789, 802, 897, 1184 and 1189; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENROLLED BILLS

May 9, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 449, and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENROLLED BILLS

May 9, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Resolutions Nos. 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115 and 116; and find same correctly enrolled and ready for the signature of the Speaker.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 74, 224, 1434, 1438, 1439, 1441, 1444, 1447, 1448, 1449, 1450 and 1451; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

TUESDAY, MAY 9, 2017 -- 36TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 466, 467, 468, 469, 470, 471, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500 and 528; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

SIGNED

May 9, 2017

The Speaker announced that he had signed the following: Senate Bills Nos. 185, 194, 297, 315, 317, 338, 401, 429, 430, 439, 489, 568, 571, 603, 614, 633, 729, 796, 806, 954, 969, 970, 993, 1179, 1192, 1220, 1287, 1321, 1355 and 1362.

SIGNED

May 9, 2017

The Speaker announced that he had signed the following: Senate Bills Nos. 494, 786, 789, 802, 897, 1184 and 1189.

SIGNED

May 9, 2017

The Speaker announced that he had signed the following: Senate Joint Resolution No. 449.

SIGNED

May 9, 2017

The Speaker announced that he had signed the following: Senate Resolutions Nos. 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115 and 116.

SIGNED

May 9, 2017

The Speaker announced that he had signed the following: House Bills Nos. 99, 174, 267, 628, 647, 664, 862, 959, 1021, 1164, 1289, 1291, 1373, 1424, 1426, 1436, 1443, 1445, 1446 and 1452.

SIGNED

May 9, 2017

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 466, 467, 468, 469, 470, 471, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500 and 528.

TUESDAY, MAY 9, 2017 -- 36TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 185, 194, 297, 315, 317, 338, 401, 429, 430, 439, 489, 568, 571, 603, 614, 633, 729, 796, 806, 954, 969, 970, 993, 1179, 1192, 1220, 1287, 1321, 1355 and 1362; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 494, 786, 789, 802, 897, 1184 and 1189; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 406, 407, 416, 445 and 447; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

May 9, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 449, signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

May 9, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 406, 407, 416, 445, 447 and 449; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

May 9, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 55, 62, 69, 73, 77, 83, 84, 92, 102, 106, 162, 241, 242, 394, 413, 454, 469, 473, 482, 523, 527, 723, 740, 798, 921, 951, 1077, 1206, 1209, 1214, 1223, 1262 and 1265; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, May 10, 2017: House Joint Resolutions Nos. 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578 and 579.

This the 9th day of May, 2017
MASSEY, Chairperson

REPORT OF COMMITTEE ON CALENDAR # 2

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Tuesday, May 9, 2017: Senate Bills Nos. 3, 53, 230, 292, 562, 564, 570, 580, 585, 641, 864, 1136, 1218, 1224, 1230, 1241, 1245, 1250, 1257, 1260, 1309 and 1352.

This the 9th day of May, 2017
MASSEY, Chairperson

REPORT OF COMMITTEE ON CALENDAR # 1

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, May 10, 2017: Senate Bills Nos. 641 and 790.

This the 9th day of May, 2017
MASSEY, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
MESSAGE CALENDAR # 1**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Wednesday, May 10, 2017: Senate Bills Nos. 120, 298, 644, 703, 1016, 1087 and 1340; House Bills Nos. 192 and 711; Senate Bill No. 125; and House Bills Nos. 16 and 1288.

This the 9th day of May, 2017
MASSEY, Chairperson

TUESDAY, MAY 9, 2017 -- 36TH LEGISLATIVE DAY

ADJOURNMENT

Senator Norris moved the Senate adjourn until 10:00 a.m., Wednesday, May 10, 2017, which motion prevailed.